By:  Hinojosa S.B. No. 1008

A BILL TO BE ENTITLED

AN ACT

relating to fees for pipeline construction imposed by certain districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.2127 to read as follows:

Sec. 49.2127.  PIPELINE FEES AND REQUIREMENTS IMPOSED BY CERTAIN DISTRICTS. (a) In this section, "retail public utility" has the meaning assigned by Section 13.002.

(b)  This section applies only to a district whose territory is located wholly or partly in a county:

(1)  located on the Gulf of Mexico and an international border; or

(2)  adjacent to a county described by Subdivision (1).

(c)  Notwithstanding Section 49.002, this section prevails over a special law governing a district.

(d)  A district may not impose on a retail public utility that proposes to construct a water or sewer pipeline or associated infrastructure in the district's service area:

(1)  requirements for constructing the pipeline that are unduly burdensome; or

(2)  a fee that is greater than the actual, reasonable, and documented costs incurred by the district for review, legal services, engineering services, inspection, construction, and repair associated with the retail public utility construction, and any other related costs incurred by the district in association with the retail public utility construction.

SECTION 2.  This Act takes effect September 1, 2021.