

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

1 repair associated with the retail public utility construction, and  
2 any other related costs incurred by the district in association  
3 with the retail public utility construction.

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