

BILL ANALYSIS

Senate Research Center
88R31021 JXC-F

C.S.H.B. 3810
By: Landgraf (Perry)
Water, Agriculture & Rural Affairs
5/19/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The safety, security, and reliability of the state's public water supply is paramount. The fallout from Winter Storm Uri and reviews by the United States Environmental Protection Agency identifying various violations of water laws in Texas have made clear there are gaps in the communication and response protocols related to public water supply outages and advisories. H.B. 3810 seeks to address the issue of inadequate communication and coordination between public water supply systems, wastewater systems, and regulatory authorities during events that may disrupt the supply of safe drinking water by providing for timely notification when water supply outages or advisories are extant or foreseeable.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 3810 amends current law relating to certain notices provided to the Texas Commission on Environmental Quality by public water supply systems.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 341.033, Health and Safety Code, by amending Subsection (i) and adding Subsection (i-1), as follows:

(i) Requires an owner, agent, manager, operator, or other person in charge of a public water supply system that furnishes water for public or private use or a wastewater system that provides wastewater services for public or private use to maintain internal procedures to notify the Health and Human Services Commission (HHSC) immediately of the following events, if the event may negatively impact the production or delivery of safe and adequate drinking water:

(1)-(3) makes no changes to these subdivisions;

(4)-(5) makes nonsubstantive changes to these subdivisions; or

(6) for a nonindustrial public water supply system, an unplanned condition that has caused a public water supply outage or the public water supply system to issue a do-not-use advisory, do-not-consume advisory, or boil water notice.

(i-1) Authorizes HHSC to collaborate with the Texas Division of Emergency Management (TDEM) in administering the notification requirement in Subsection (i)(6), including determining the method by which the notifications are provided. Provides that Subsection (i)(6) does not require an owner, agent, manager, operator, or other person in charge of a nonindustrial public water supply system to provide notice of a weather or emergency alert, warning, or watch issued by the National Weather Service, the National Oceanic and Atmospheric Administration, or TDEM or a successor federal or state agency.

SECTION 2. Effective date: September 1, 2023.