

By: Zaffirini

S.B. No. 893

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the correction of a certificate of public convenience
3 and necessity for providing water or sewer utility service.

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

5 SECTION 1. Section 13.244, Water Code, is amended by adding
6 Subsection (e) to read as follows:

7 (e) The executive director, at the discretion of the
8 executive director or at the request of the certificate holder, may
9 make a correction to a certificate of public convenience and
10 necessity, without observing formal amendment procedures, by
11 reissuing the certificate or issuing an endorsement to the
12 certificate. The executive director shall notify the certificate
13 holder that the correction has been made and ensure that the
14 reissued certificate or endorsement is recorded in the commission's
15 records. The executive director may make a correction under this
16 subsection only:

17 (1) to correct a clerical or typographical error;

18 (2) to change the mailing address of the certificate
19 holder to match updated contact information provided by the
20 certificate holder;

21 (3) to change the name of an incorporated certificate
22 holder on a certificate if:

23 (A) an amendment to the certificate holder's
24 articles of incorporation or certificate of formation, as

1 applicable, is filed with the secretary of state that only changes
2 the name of the certificate holder; and

3 (B) the certificate holder provides verification
4 from the secretary of state to the commission that the amendment
5 only changed the name of the certificate holder;

6 (4) to describe accurately the boundaries of the
7 certificated area;

8 (5) to correct a mapping error in a certificate to
9 reflect the metes and bounds of the certificated area; or

10 (6) to correct another similar nonsubstantive error or
11 matter if authorized by the commission by rule.

12 SECTION 2. Section 13.246(j), Water Code, is amended to
13 read as follows:

14 (j) This section does not apply to an application under
15 Section 13.258 or a correction under Section 13.244(e).

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2023.