

1-1 By: Zaffirini S.B. No. 893
1-2 (In the Senate - Filed February 14, 2023; March 1, 2023,
1-3 read first time and referred to Committee on Water, Agriculture &
1-4 Rural Affairs; April 18, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 18, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Perry</u>	X		
1-10	<u>Hancock</u>	X		
1-11	<u>Blanco</u>	X		
1-12	<u>Flores</u>	X		
1-13	<u>Gutierrez</u>	X		
1-14	<u>Johnson</u>	X		
1-15	<u>Kolkhorst</u>	X		
1-16	<u>Sparks</u>	X		
1-17	<u>Springer</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 893 By: Hancock

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the correction of a certificate of public convenience
1-22 and necessity for providing water or sewer utility service.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 13.244, Water Code, is amended by adding
1-25 Subsections (e) and (f) to read as follows:

1-26 (e) The executive director of the utility commission, at the
1-27 discretion of the executive director of the utility commission or
1-28 on the request of the certificate holder, may make a correction to a
1-29 certificate of public convenience and necessity, without observing
1-30 formal amendment procedures, by reissuing the certificate or
1-31 issuing an endorsement to the certificate. The executive director
1-32 of the utility commission shall notify the certificate holder that
1-33 the correction has been made and ensure that the reissued
1-34 certificate or endorsement is recorded in the commission's records.
1-35 The executive director of the utility commission may make a
1-36 correction under this subsection only:

1-37 (1) to correct a clerical or typographical error;

1-38 (2) to change the name of an incorporated certificate
1-39 holder on a certificate if:

1-40 (A) an amendment to the certificate holder's
1-41 articles of incorporation or certificate of formation, as
1-42 applicable, is filed with the secretary of state that only changes
1-43 the name of the certificate holder; and

1-44 (B) the certificate holder provides verification
1-45 from the secretary of state to the commission that the amendment
1-46 only changed the name of the certificate holder;

1-47 (3) to correct a mapping error in a certificate to
1-48 reflect the metes and bounds of the certificated area; or

1-49 (4) to correct another similar nonsubstantive error or
1-50 matter if authorized by the commission by rule.

1-51 (f) The executive director of the utility commission may not
1-52 make a correction under Subsection (e)(3) unless the certificate
1-53 holder:

1-54 (1) submits to the executive director of the utility
1-55 commission a written agreement between all affected persons about
1-56 the correction; and

1-57 (2) provides notice of the correction to any customers
1-58 of the certificate holder affected by the correction.

1-59 SECTION 2. Section 13.246(j), Water Code, is amended to
1-60 read as follows:

2-1 (j) This section does not apply to an application under
2-2 Section [13.258](#) or a correction under Section [13.244](#)(e).

2-3 SECTION 3. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section 39, Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2023.

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