

By: Menéndez

S.B. No. 1446

A BILL TO BE ENTITLED

AN ACT

relating to the discontinuation, reduction, or impairment of water service during drought conditions.

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

SECTION 1. Sections 13.250(b) and (d), Water Code, are amended to read as follows:

(b) Unless the utility commission issues a certificate that neither the present nor future convenience and necessity will be adversely affected, the holder of a certificate or a person who possesses facilities used to provide utility service shall not discontinue, reduce, or impair service to a certified service area or part of a certified service area except ~~[for]~~:

(1) for nonpayment of charges for services provided by the certificate holder or a person who possesses facilities used to provide utility service;

(2) for nonpayment of charges for sewer service provided by another retail public utility under an agreement between the retail public utility and the certificate holder or a person who possesses facilities used to provide utility service or under a utility commission-ordered arrangement between the two service providers;

(3) for nonuse; ~~[or]~~

(4) as necessary to maintain adequate water supplies during drought conditions; or

1 (5) for other similar reasons in the usual course of
2 business.

3 (d) Except as provided by this subsection, a retail public
4 utility that has not been granted a certificate of public
5 convenience and necessity may not discontinue, reduce, or impair
6 retail water or sewer service to any ratepayer without approval of
7 the regulatory authority. Except as provided by this subsection, a
8 utility or water supply corporation that is allowed to operate
9 without a certificate of public convenience and necessity under
10 Section 13.242(c) may not discontinue, reduce, or impair retail
11 water or sewer service to any ratepayer without the approval of the
12 regulatory authority. Subject to rules of the regulatory
13 authority, a retail public utility, utility, or water supply
14 corporation described in this subsection may discontinue, reduce,
15 or impair retail water or sewer service [~~for~~]:

16 (1) for nonpayment of charges;

17 (2) for nonuse; [~~or~~]

18 (3) as necessary to maintain adequate water supplies
19 during drought conditions; or

20 (4) for other similar reasons in the usual course of
21 business.

22 SECTION 2. This Act takes effect September 1, 2025.