CHAPTER 979
H.B. No. 2049

AN ACT
relating to a qualifying cogeneration facility's ability to sell electric energy to multiple purchasers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 31.002(13), Utilities Code, is amended to read as follows:

(13) "Qualifying cogenerator" and "qualifying small power producer" have the meanings assigned those terms by 16 U.S.C. Sections 796(18)(C) and 796(17)(D). A qualifying cogenerator that provides electricity to a purchaser of the cogenerator's thermal output is not for that reason considered to be a retail electric provider or a power generation company.

SECTION 2. Subchapter B, Chapter 37, Utilities Code, is amended by adding Section 37.0521 to read as follows:

Sec. 37.0521. EXCEPTION FOR RETAIL SALES BY CERTAIN QUALIFYING COGENERATORS. (a) Notwithstanding Section 37.001(3), a qualifying cogenerator may sell electric energy at retail to more than one purchaser of the cogenerator's thermal output.

(b) Selling electric energy at retail to more than one purchaser does not, as a result of that sale, subject a qualifying cogenerator to regulation as:

(1) a retail electric provider or power generation company; or

(2) a retail electric utility under Chapter 37.

(c) This section does not apply to sales in an area:

(1) in which customer choice has not been adopted and where a municipally owned utility or an electric cooperative is certificated to provide retail electric utility service; or

(2) that is served by an electric utility that operates solely outside of ERCOT.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on May 4, 2013: Yeas 136, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2049 on May 22, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 17, 2013: Yeas 31, Nays 0

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 980
H.B. No. 2055

AN ACT
relating to the authority to issue bonds of the Marilee Special Utility District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle C, Title 6, Special District Local Laws Code, is amended by adding Chapter 7215 to read as follows:

2383
CHAPTER 7215. MARILEE SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7215.001. DEFINITION. In this chapter, “district” means the Marilee Special Utility District.

[Sections 7215.002-7215.050 reserved for expansion]

SUBCHAPTER B. BONDS

Sec. 7215.051. AUTHORITY TO ISSUE BONDS. (a) The district has the rights, powers, duties, and obligations of an issuer under Chapter 1371, Government Code.

(b) Sections 49.181 and 49.182, Water Code, do not apply to the district.

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 981

H.B. No. 2062

AN ACT

relating to the regulation of plumbing.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 1301.002(11) and (12), Occupations Code, are amended to read as follows:

(11) “Water supply protection specialist” means a person who holds an endorsement issued by the board to engage in:

(A) customer service inspections, as defined by rule of the Texas Commission on Environmental Quality; and

(B) the installation, service, and repair of plumbing associated with the treatment, use, and distribution use of rainwater to supply a plumbing fixture or irrigation system.

(12) “Water treatment” means a business conducted under contract that requires ability, experience, and skill in analyzing water to determine how to treat influent and effluent water to change or purify the water or to add or remove minerals, chemicals, or bacteria.