

## **BILL ANALYSIS**

Senate Research Center  
78R10046 DRH-D

C.S.S.B. 1689  
By: Gallegos  
Intergovernmental Relations  
4/10/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

A municipal sanitary sewer system during heavy rain events is impacted by factors known as infiltration and inflow (I&I). I&I contribute to sanitary sewer overflows, which must be controlled under the Federal Clean Water Act. Common examples of I&I include storm water leaking into sanitary sewer lines due to aging of the lines and direct storm water connections. C.S.S.B. 1689 removes from current law the requirement that private homeowners be assessed for the cost of sanitary sewer line repairs or replacements on their property.

### **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 402.901, Local Government Code, by adding Subsection (k), to provide that Subsections (a)-(j) do not affect the ability of a home-rule municipality, in exercising its home-rule powers under Section 5, Article XI, Texas Constitution, to relocate or replace a water or sanitation sewer lateral on private property without making an assessment against the property or a person. Requires the municipality, in exercising its home-rule powers for this purpose, to restore the property to the condition existing before the replacement or relocation of the lateral.

SECTION 2. Effective date: upon passage or September 1, 2003.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Differs from the original by adding a reference to Subsections (a)-(j) and adding new language to proposed text relating to the exercising of home-rule powers by municipalities.