

BILL ANALYSIS

Senate Research Center
82R21651 ALL-D

H.B. 3090
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, retail water suppliers perform periodic water loss audits. In a number of instances, system water loss adversely affects a public water system's need for infrastructure improvements and increased water supply. In addition, water loss audit information may be used by the Texas Water Development Board in reviewing loan and grant applications. Interested parties contend that annual water loss audits would assist public water suppliers in identifying areas within infrastructure systems that require improvement, obtaining more accurate estimates of the need for additional water supply and lowering the costs of unsold water that ultimately must be borne by customers.

H.B. 3090 seeks to address these issues by establishing provisions relating to the frequency of water audits by certain retail public utilities.

H.B. 3090 amends current law relating to the frequency of water audits by certain retail public utilities.

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 16.0121, Water Code, by amending Subsections (b), (c), and (f) and adding Subsection (b-1), as follows:

(b) Requires a retail public utility providing potable water, except as provided by Subsection (b-1), to perform and file with the Texas Water Development Board (TWDB) an annual water audit computing the utility's system water loss during the preceding year. Deletes existing text requiring a retail public utility providing potable water, every five years, to perform and file with TWDB a water audit computing the utility's most recent annual system water loss.

(b-1) Requires a retail public utility providing potable water that serves populations of 10,000 or less and that does not receive any form of financial assistance from TWDB to perform and file with TWDB every five years a water audit computing the utility's most recent annual system water loss.

(c) Requires TWDB to develop appropriate methodologies and submission dates for a water audit required under Subsection (b) or (b-1) for the following categories of retail public utilities:

(1) retail public utilities serving populations of 100,000 or more;

(2) retail public utilities serving populations of 50,000 or more but less than 100,000;

(3) retail public utilities serving populations of more than 10,000 but less than 50,000, rather than of more than 3,300 but less than 50,000; and

(4) retail public utilities serving populations of 10,000 or less, rather than of 3,300 or less.

(f) Requires TWDB to compile the information included in the water audits required by Subsections (b) and (b-1), rather than Subsection (b), according to category of retail public utility and according to regional water planning area.

SECTION 2. Requires a retail public utility that receives financial assistance from TWDB, or a retail public utility that serves a population of more than 10,000, not later than May 1, 2013, to submit the first annual report required by Section 16.0121, Water Code, as amended by this Act. Requires that the initial water audit report submitted by a retail public utility under that section compute the utility's most recent annual system water loss.

SECTION 3. Effective date: September 1, 2011.