

## **BILL ANALYSIS**

Senate Research Center  
78R5858 MI-D

H.B. 1138  
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Natural Resources  
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Engrossed

### **DIGEST AND PURPOSE**

Current law prohibits nonprofit water supply and sewer service corporations in counties with a population of more than 3.3 million from having the ability to: own, hold, lease, or acquire water wells, springs, or other sources of water supply; build, operate, and maintain pipelines to transport water or wastewater; build and operate plants and equipment necessary to distribute water or to treat and dispose of wastewater; and sell water or provide wastewater services to a political subdivision, a private corporation, or an individual. Under current population estimates by the U.S. Census, Harris County is the only county in Texas excluded under this section. Unfortunately, due to this provision, Harris County residents with contaminated water are afforded fewer options than residents of other Texas counties to form nonprofit water supply and sewer service corporations to address these concerns. H.B. 1138 removes the population limitation, allowing any county to form non-profit water supply and sewer service corporations.

### **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 67.011, Water Code, as follows:

Sec. 67.011. New heading: **ADDITIONAL POWERS OF CORPORATION**. Authorizes a corporation, in addition to other powers granted by this chapter, to perform certain acts related to water wells, springs, water and wastewater supplies, pipelines, plants, and equipment. Deletes a limitation of application of this section to a county with a population of less than 3.3 million.

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