

BILL ANALYSIS

Senate Research Center
78R7497 MI-D

S.B. 1379
By: Armbrister
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, water customers routinely violate municipal water conservation and drought restrictions. The cost and effort involved in citation and municipal court action discourages municipal enforcement. Administrative fines assessed on a customer's water bill would allow for effective and efficient enforcement, yet still allow an appeal to court. This type of monetary penalty would encourage water conservation. As proposed, S.B. 1379 authorizes municipalities to assess administrative fines on customer water bills for violations of water conservation and drought restrictions and provides for an appeal to municipal court.

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 Chapter 402F, Local Government Code, by adding Section 402.106, as follows:

Sec. 402.106. ENFORCEMENT OF WATER CONSERVATION AND DROUGHT ORDINANCES. (a) Authorizes a municipality with a population of more than 1,000 to impose a fine for the violation of a water conservation or drought ordinance by including the amount of the fine in the monthly water bill issued by the municipality if a schedule of fines is clearly displayed on the monthly bill.

(b) Authorizes a customer to appeal a fine imposed as provided by this section to municipal court.

SECTION 2. Effective date: September 1, 2003.