

## **BILL ANALYSIS**

Senate Research Center  
81R1822 TJS-F

H.B. 4043  
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Natural Resources  
5/7/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

A retail public utility must obtain a certificate of convenience and necessity (CCN) to provide water and sewer service for a given area. Current law requires that a seller of real property located within the CCN of a retail public utility other than a water district provide a purchaser with written notice regarding the property's location within a CCN. Certain types of real estate transactions, including the transfer of title to property located within the corporate limits of a municipality, are exempt from this notification requirement.

H.B. 4043 provides that the notice requirement does not apply to the transfer of title to property located within the corporate limits of a municipality that is served by a municipally owned utility.

### **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 13.257(c), Water Code, to provide that this section does not apply to certain transfers of title, including a transfer of title to property located within the corporate limits of a municipality that is served by a municipally owned utility.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009