

BILL ANALYSIS

Senate Research Center
85R19079 JXC-D

H.B. 965
By: Springer (Perry)
Agriculture, Water & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that in the recent drought a number of municipalities placed water restrictions on private businesses and citizens but that correctional facilities, which consume large amounts of water, generally did not have to comply with the same restrictions. H.B. 965 seeks to provide for correctional facility compliance with certain water conservation measures.

H.B. 965 amends current law relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.

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 Subchapter E, Chapter 13, Water Code, by adding Section 13.1461, as follows:

Sec. 13.1461. CORRECTIONAL FACILITY COMPLIANCE WITH CONSERVATION MEASURES. (a) Provides that this section applies only to a correctional facility operated by the Texas Department of Criminal Justice (TDCJ) or operated under contract with TDCJ.

(b) Authorizes a retail public utility (RPU), except as provided by Subsection (c), to require the operator of a correctional facility that receives retail water or sewer utility service from the RPU to comply with water conservation measures adopted or implemented by the RPU.

(c) Provides that a correctional facility is not required to comply with a water conservation measure under Subsection (b) if the operator of the correctional facility submits to the RPU a written statement from TDCJ that states that the measure would endanger health and safety at the facility or unreasonably increase the costs of operating the facility.

(d) Requires the operator of a correctional facility that received an exemption from the original measure under Subsection (c), if an RPU suspends a water conservation measure and later implements the same measure, to submit a new written statement from TDCJ to obtain an exemption under Subsection (c) from the newly implemented measure.

SECTION 2. Effective date: upon passage or September 1, 2017.