

Chapter 248

H.B. No. 965

AN ACT

relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.1461 to read as follows:

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

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

(c) 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 retail public utility a written statement from the Texas Department of Criminal Justice that states that the measure would endanger health and safety at the facility or unreasonably increase the costs of operating the facility.

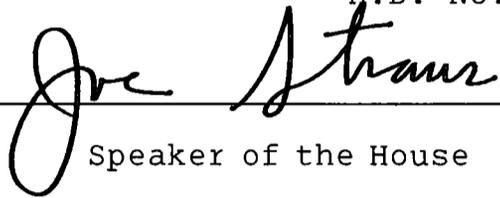
(d) If a retail public utility suspends a water conservation

1 measure and later implements the same measure, the operator of a
2 correctional facility that received an exemption from the original
3 measure under Subsection (c) must submit a new written statement
4 from the Texas Department of Criminal Justice to obtain an
5 exemption under Subsection (c) from the newly implemented measure.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2017.



President of the Senate



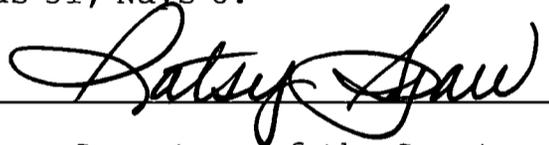
Speaker of the House

I certify that H.B. No. 965 was passed by the House on April 26, 2017, by the following vote: Yeas 143, Nays 5, 1 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 965 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

APPROVED: 5-29-17

Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:00 PM O'CLOCK

MAY 29 2017



Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 4, 2017

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB965 by Springer (Relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to permit a retail public utility to require an operator of a correctional facility to comply with water conservation measures adopted or implemented by the retail public utility. The bill would allow a correctional facility to not comply with a water conservation measure if the facility submits a letter from the Texas Department of Criminal Justice that states the measure would endanger health and safety at the facility or unreasonably increase the costs of operating the facility.

The bill would take effect immediately if it receives two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

Local Government Impact

There could be costs to comply with water conservation measures, these costs would depend on the size, location and resources of a correctional facility and could be offset with savings in water usage.

According to Lubbock County, requirements from the bill retrofitting a facility with additional controllers that would electronically limit the number of flushes, or time of showers, would cost an estimated \$2.1 million for labor and materials. Other older facilities could be more costly to retrofit.

Cooke County estimates no significant fiscal impact from complying with the requirements of the bill.

Source Agencies: 409 Commission on Jail Standards, 696 Department of Criminal Justice

LBB Staff: UP, SZ, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 1, 2017

TO: Honorable Lyle Larson, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB965 by Springer (relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.),
Committee Report 1st House, Substituted

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 6, 2017

TO: Honorable Lyle Larson, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB965 by Springer (Relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.), **As Introduced**

No fiscal implication to the State is anticipated.

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