Chapter 151

S.B. No. 2126

1 AN ACT

- 2 relating to the authority of owners and managers of apartment
- 3 houses to assess a service charge for the submetering of water and
- 4 wastewater services.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 6 SECTION 1. Section 13.503, Water Code, is amended by
- 7 amending Subsections (c) and (d) and adding Subsection (c-1) to
- 8 read as follows:
- 9 (c) Except as provided by Subsection (c-1), in [In] addition
- 10 to the charges permitted under Subsection (b), the rules shall
- 11 authorize the owner or manager of a manufactured home rental
- 12 community or apartment house [owner or manager] to impose a service
- 13 charge of not more than nine percent of the costs related to
- 14 submetering allocated to each submetered rental or dwelling unit.
- 15 (c-1) The rules may not authorize the owner or manager of an
- 16 apartment house to impose a service charge under Subsection (c) on a
- 17 <u>resident who:</u>
- 18 (1) resides in a unit of an apartment house that has
- 19 received an allocation of low income housing tax credits under
- 20 Subchapter DD, Chapter 2306, Government Code; or
- 21 (2) receives tenant-based voucher assistance under
- 22 Section 8, United States Housing Act of 1937 (42 U.S.C. Section
- 23 1437f).
- 24 (d) For purposes of Subsection (c), "costs related to

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submetering" means water costs as well as any other applicable

- taxes and surcharges that are charged by the retail public utility 2
- to the $\underline{\text{owner or manager of a}}$ manufactured home rental community $\underline{\text{or}}$
- apartment house [owner or manager]. 4

SECTION 2. This Act takes effect September 1, 2009.___

Speaker'o⊈

I hereby certify that S.B. No. 2126 passed the Senate on April 28, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 14, 2009, by the following vote: Yeas 30, Nays 1.__

I hereby certify that S.B. No. 2126 passed the House, with amendment, on May 11, 2009, by the following vote: Yeas 142, Nays 3, two present not voting._

Approved:

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Secretary of State