



WATER FINANCE EXCHANGE
NO COMMUNITY LEFT BEHIND

TAKING ACTION ON TEXAS WATER INFRASTRUCTURE OPPORTUNITIES

WEBINAR - SEPT. 14, 2023



The 88th Texas Legislative Session

Bills to Note

Thank you for your interest in the webinar, Taking Action on Texas Water Infrastructure Opportunities, hosted by Water Finance Exchange (WFX) with partners at RSAH2O and the Texas Water Foundation. We could not cover the full slate of action from the 88th Session of the Texas Legislature during the webinar. Below you will find a list of bills from the session we identified as critical to the future of water infrastructure in Texas. The list is not exhaustive, and it is not intended to advocate in support or opposition of legislation. WFX applauds the efforts of the Texas Legislature in prioritizing water during their last regular session. If you would like to learn more about how WFX is incorporating these new legislative priorities into its work across Texas, visit waterfx.org or contact info@waterfx.org.

Senate Bill (SB) 28

Pending Texan’s voter approval in November, the bill will add an additional \$1 billion for water supply development via various innovative sources, supporting those via grants and loans. It will also provide significant funding for technical assistance to small, rural communities or those with a population of 150,000 or less, as well as all communities in Texas looking to identify and address line loss. The technical assistance funding will be administered by the Texas Water Development Board (TWDB), which is authorized by SB 28 to contract technical assistance out to interested and capable entities. SB 28 has a companion (SJR-75) which calls for the constitutional vote in November as Proposition 6.

House Bill (HB) 1

The state budget fully funded the state match required to bring all available funding from the Infrastructure Investment and Jobs Act (IIJA) for the TWDB’s State Revolving Fund (SRF) program.

HB 1565

The TWDB bill includes a charge to the TWDB to report on the implementation of large projects, including reservoirs, water transfers, desalination, and innovative technology. Reporting will include expenditures to date by sponsoring entities to move such projects, acquired permits, and implementation status. The bill also allows the TWDB to accept alternate project implementation data and formats as long as they are in substantial compliance with state and federal requirements.

Webinar Speakers



Hank Habicht
Co-founder, WFX



Carlos Rubinstein
Principal, RSAH2O



Rogelio Rodriguez
Director of the Texas Infrastructure Fund, WFX



Sarah Schlessinger
Executive Director, Texas Water Foundation

THE 88TH LEGISLATIVE SESSION - BILLS TO NOTE

SB 469

The bill adds clarity to the definition of “rural political subdivision” and authorizes such entities to receive funding from the TWDB. A “rural political subdivision” now includes municipalities with a population of 10,000 or less, municipalities within a county of with a population of 50,000, and entities that are not-for-profit water or sewer supply corporations.

SB 1057

This bill provides authority for the utilization of hotel tax to pay for certain venues including related infrastructure such as water and wastewater to augment capacity to serve the new venues.

HB 3232

This bill incentivizes regionalization and cooperation between entities by suspending enforcement action against a regional provider over violations incurred by another entity that is being integrated into a regional system. For more on how this bill has already been leveraged in Lubbock County, see the [WFX Community Profile on the South Plans Water Supply Corporation](#).

HB 1845

This bill is designed to address workforce pressures of utilities by granting authority to the Texas Commission on Environmental Quality (TCEQ) to develop provisional licensing of Class D wastewater operators. A provisional certification will be allowed for persons not yet possessing a high school diploma or equivalent, but wish to gain skill sets to enter the water and wastewater service industry.

SB 1965

This bill allows the Public Utility Commission of Texas (PUC) to approve and expedite transactions including the transfer of a Certificate of Convenience and Necessity (CCN) without a previous owner’s signature if the system has been abandoned and waives certain notice requirements.

HB 3582

This bill adds a new definition of rural political subdivision to Chapter 15 of the Water Code as it relates to funding consideration by the TWDB.

SB 2440

This bill adds new requirements for subdivision plat approval where the area is going to be served by groundwater.

HB 4385

This bill eases the ability to provide water or sewer services without first having acquired a certificate of convenience and necessity to entities with 15 connections or less.

About WFX

Water Finance Exchange (WFX) is a 501(c)(3) non-profit comprised of experienced water and finance professionals who work closely with communities to address head-on their water infrastructure funding needs and opportunities. Our mission is to help communities build sustainable and resilient utilities that are the foundation of economic growth and prosperity.