

1-1 By: Flores S.B. No. 2161
1-2 (In the Senate - Filed March 10, 2025; March 24, 2025, read
1-3 first time and referred to Committee on Water, Agriculture and
1-4 Rural Affairs; April 15, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 April 15, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2161 By: Hancock

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to expenses incurred in the appeal of rates for water or
1-22 sewer service charged to certain customers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 13.043, Water Code, is amended by adding
1-25 Subsection (e-1) to read as follows:

1-26 (e-1) A ratepayer of a municipally owned utility who resides
1-27 outside the corporate limits of the municipality and is represented
1-28 by an attorney may allege that rates prescribed by the municipally
1-29 owned utility are excessive and, if the ratepayer is a prevailing
1-30 party in a proceeding for review of the municipally owned utility's
1-31 rates, and the regulatory authority finds that a rate increase by
1-32 the municipally owned utility had no basis in fact or law, in the
1-33 same action the ratepayer may recover reasonable fees for attorneys
1-34 and expert witnesses and other costs incurred for the proceeding by
1-35 the ratepayer. The amount of the attorney's fees shall be fixed by
1-36 the utility commission.

1-37 SECTION 2. The changes in law made by this Act apply only to
1-38 an appeal under Section 13.043(b), Water Code, that is filed on or
1-39 after the effective date of this Act. An appeal that is filed
1-40 before the effective date of this Act is governed by the law in
1-41 effect on the date the appeal was filed, and the former law is
1-42 continued in effect for that purpose.

1-43 SECTION 3. This Act takes effect September 1, 2025.

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