# 90th Legislative Session Preview

Austin Water | Water and Wastewater Commission

November 10, 2026



# Agenda

- Key Dates
- City’s Legislative Platform
- Austin Water’s Role in Session
- Austin Water Initiated Legislation
- Topics to Monitor
- Key Associations

# Key Dates

- November 9, 2026 – Bill Pre-Filing Began
- Late 2026 & Early 2027 – Interim Committee Reports Published
- January 12, 2027 – First Day of Session
- March 12, 2027 – Last Day of Statewide Bill Filing
- May 31, 2027 – Sine Die (Last Day of Regular Session)

# City of Austin Legislative Platform

Adopted July 23, 2026

- **Emergency Preparedness & Natural Resources**
  - **Strengthen Climate and Disaster Resilience**: Support efforts to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters, including flooding, wildfires, extreme temperatures, and public health disasters.
  - **Protect Natural Resources**: Support policies to further conservation, reuse, and water supply strategies in Austin's 100-year water plan. Ensure sustainability of the State's natural resources and support efforts to improve local air quality.
- **Public Infrastructure**
  - **Support Critical Infrastructure and Services**: Fund critical mobility infrastructure and preserve ability to govern residents' investment in municipally owned-utilities.

# Austin Water's Role In Session

- Austin Government Relations (AGR) assigns bills for analysis
  - Austin Water (AW) staff and external organizations also identify bills
- AW staff work to
  - Analyze bills (and amendments)
  - Prepare educational materials, answer questions
  - Determine public positions, communicate with AGR
  - Prepare written and oral testimony for committees
  - Coordinate with other municipalities and organizations

# Austin Water Initiated Legislation

# Enabling Aquifer Storage and Recovery (ASR)

- Texas Administrative Code prohibits most injection wells (including wells for ASR) from transecting the Edwards Aquifer
- AW would need to transect the Edwards for the potential ASR project in Eastern Travis County
- An Austin Water proposed bill mirrors a bill passed last session for ASR projects in Eastern Williamson County and Medina County

# Priority Topics to Monitor

*Bill positions to be determined based on specific content*

*Not an exhaustive list*

# Funding for Water Infrastructure

- The City of Austin relies on financial assistance from the Texas Water Development Board's (TWDB) loan programs to deliver essential water, wastewater, and reclaimed water projects
- TWDB's State Water Implementation Fund for Texas (SWIFT) recapitalization is a priority, this revolving loan fund is oversubscribed
- Monitor implementation of funding legislation from last session, including Senate Bill 7
- On June 23, 2026, AW provided written testimony to the House Committee on Natural Resources to address their "Capacity of State and Federal Water Infrastructure Financial Assistance Programs" interim charge

# Public Water Use Disclosure Limitations

- Government-operated utilities are prohibited from releasing customer data that was collected through advanced metering systems
- This exception was created in 2021 through HB 872
- Coordinate with other utilities to enable reporting of large water user commercial usage

# Data Centers

- Monitor for legislation that could impact water service for data centers and other large customers
- Coordinate with other City of Austin departments
- **Multiple Interim Charges**: Hearings held by multiple committees
- Multiple bills anticipated on a range of data center topics

# Water Loss

- Monitor for new requirements related to water loss or legislation tying funding restrictions to water loss
- HB 29 (2025 Water Loss Audit Validation & Mitigation Plan) implementation is ongoing
  - First validation submitted to Texas Water Development Board (TWDB) October 2026
  - Water Loss Mitigation Plan due to TWDB by May 2027

# Wastewater & Biosolids

## Wastewater Regionalization

- Monitor for legislation related to wastewater regionalization (including bills that would require connection to a wastewater system within a certain distance)
- Protect onsite reuse options

## Biosolids

- Monitor for legislation that could impact AW's current composting operations process and affordability

# Impact Fees

- Monitor for legislation that could affect AW’s current impact fee authority
- Maintain fairness for ratepayers so they don't bear the cost of future development
- **Multiple Interim Charges**: Examine the collection, use, and oversight of fees imposed by local governments, including impact fees, utility connection charges, permit and inspection fees, and drainage or stormwater fees

# Local Development Authority

- Monitor for legislation that could impact municipal authority within the development process, such as third-party review authority
- Coordinate with Austin Development Services and other departments
- **Interim Charge**: Study methods to expedite the safe permitting of construction projects to increase housing supply. Review the ongoing implementation of recent legislation regarding the use of third-party reviews of plats and property development plans, permits, and similar documents, and the inspection of an improvement.

# Municipal Utility Districts (MUDs)

- Monitor for legislation related to MUDs in the City's Extraterritorial Jurisdiction (ETJ) or Austin City limits
- MUDs can be created through the legislature (or Texas Commission on Environmental Quality)
- **Interim Charge**: Consider the proliferation of municipal utility districts (MUDs) and evaluate their impact on housing attainability and affordability, as well as challenges associated with managing growth. Review the methods by which MUDs are created and identify best practices to ensure sufficient oversight exists.

# General Fund Transfer Restrictions

- Monitor for legislation impacting city's general fund transfer authority
- **Interim Charge**: Prioritizing Utility Revenue for Infrastructure Maintenance: Study the practice of large municipalities transferring revenue from water and wastewater utilities to general funds. Assess the impact of such transfers on delays in projects, infrastructure maintenance backlogs, and water loss mitigation. Make recommendations to limit the percentage of utility revenue available for transfer and ensure ratepayer funds are dedicated exclusively to the sustainability and security of Texas water systems.

# Key Associations

- Texas Water Association (TWA)
- Texas Section of American Water Works Association (TAWWA)
- Water Environment Association of Texas (WEAT)
- Texas Municipal League (TML)

# Some Other Topics to Watch

- Certificate of Convenience and Necessity (CCN) Release Issues
- Public Utility Commission Jurisdiction of Rates
- Groundwater Districts and Groundwater Rights
- Extraterritorial Jurisdiction (ETJ) Issues
- State Water Planning Process
- Conservation Easements and Condemnation
- Cybersecurity
- Water Outage Notifications, Public Notices
- Emerging Contaminants
- Construction Contracts, Engineering Contracts, Procurement
- Telecommunications Infrastructure & Right of Way
- Drought Contingency Plan & Water Conservation Plan changes
- Endangered Species
- Wildfire
- Facility Backup Power Mandates
- Wholesale Water Service Mandates
- Excavation/811/Know Before You Dig
- Meters for Individual Dwelling Units
- Artificial Intelligence
- Open Meetings & Open Records
- Eminent Domain
- Lead Pipes (Schools and Childcare Facilities)
- State Clean Water Study
- Plumbing Code Changes
- Water Reuse & Reclaimed
- Fluoridation
- Fire Flow for Hydrants

# Questions

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