



HOUSE BILL 529: Utilities/Water and Wastewater Consumption.

2019-2020 General Assembly

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| Committee: | | Date: | December 4, 2019 |
| Introduced by: | | Prepared by: | Kyle Evans Staff Attorney |
| Analysis of: | S.L. 2019-88 | | |

OVERVIEW: *S.L. 2019-88 authorizes the Utilities Commission (Commission) to adopt, implement, modify, or eliminate a rate adjustment mechanism for regulated water and wastewater utilities to reflect changes in customer usage in a general rate case; directs the Commission for Public Health (CPH) to adopt rules concerning the construction and operation of artificial swimming lagoons; and directs CPH to study whether the requirement that all swimming pools have a telephone capable of dialing 911 is necessary.*

This act became effective July 8, 2019.

CURRENT LAW & BILL ANALYSIS:

Pursuant to G.S. 62-133, the rates for regulated water and wastewater public utilities are fixed by the Utilities Commission in a general rate case.

Section 1 allows the Utilities Commission to adopt a rate adjustment mechanism to track and true-up variations in customer water usage, provided it finds that the mechanism is in the public interest. This allows regulated water and wastewater utilities to have their rates adjusted to accurately reflect sales volume of water between general rate cases. The Commission may also modify or eliminate the rate adjustment mechanism in a general rate case.

CPH adopts rules that govern the construction and operation of public swimming pools, with specific requirements for design, construction material, user safety, and public health.

Section 2 defines "artificial swimming lagoons" and directs CPH to adopt rules concerning the construction and operations of artificial swimming lagoons. CPH must adopt these rules no later than December 1, 2019, pursuant to the existing statutory framework for rules governing the construction and operation of public swimming pools.

Pursuant to CPH rules, all swimming pools are required to have a telephone capable of directly dialing 911 or other emergency notification system permanently affixed to a location within 75 feet of the pool and accessible to all pool users.

Section 3 directs CPH to study whether the telephone requirement for swimming pools is still necessary in light of the widespread cellular telephone availability. CPH must submit a report of its findings and recommendations to the Joint Legislative Oversight Committee on Health and Human Services no later than March 1, 2020.

EFFECTIVE DATE: This act became effective July 8, 2019.

Karen Cochrane-Brown
Director



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Legislative Analysis
Division
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