

By: Senator(s) Gordon

To: Environment Prot, Cons  
and Water Res

SENATE BILL NO. 2052

1 AN ACT TO AUTHORIZE THE OWNER OR OPERATOR OF A BUILDING  
2 CONTAINING RESIDENTIAL UNITS TO SUBMETER TENANTS FOR WATER AND  
3 WASTEWATER SERVICE UNDER CERTAIN CONDITIONS; AND FOR RELATED  
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) The owner or operator of a building  
7 containing residential units may install equipment or use an  
8 economic allocation methodology to determine the quantity of water  
9 that is provided to the tenants and used in the common areas of  
10 such a building; and the owner of such a building may charge  
11 tenants separately for water and wastewater service based on usage  
12 as determined through the use of such equipment or allocation  
13 methodology. The activities described in this code section shall  
14 not cause any owner or operator engaging in such activities to be  
15 considered the owner or operator of a public water system or a  
16 public utility, notwithstanding any provision of law to the  
17 contrary.

18 (2) The owner or operator of a building containing  
19 residential units may charge tenants separately for water and  
20 wastewater service, provided that the total amount of the charges  
21 to the tenants of such a building shall not exceed the total  
22 charges paid by the owner or operator for water and wastewater  
23 service for such building plus a reasonable fee for establishing,  
24 servicing, and billing for water and wastewater service and  
25 provided, further, that the terms of the charges are disclosed to  
26 the tenants prior to any contractual agreement.

27 **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2002.

