

1-1 By: Deshotel, et al. (Senate Sponsor - Birdwell) H.B. No. 17
 1-2 (In the Senate - Received from the House March 31, 2021;
 1-3 April 8, 2021, read first time and referred to Committee on
 1-4 Business & Commerce; April 19, 2021, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; April 19, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols	X			
1-9 Campbell	X			
1-10 Creighton	X			
1-11 Johnson	X			
1-12 Menéndez			X	
1-13 Paxton	X			
1-14 Schwertner	X			
1-15 Whitmire	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a restriction on the regulation of utility services and
 1-20 infrastructure based on the energy source to be used or delivered.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter 2, Chapter 181, Utilities Code, is
 1-23 amended by adding Section 181.903 to read as follows:

1-24 Sec. 181.903. RESTRICTION ON REGULATION OF UTILITY SERVICES
 1-25 AND INFRASTRUCTURE. (a) In this section:

1-26 (1) "Regulatory authority" has the meanings assigned
 1-27 by Sections 11.003 and 101.003.

1-28 (2) "Utility" has the meaning assigned by Section
 1-29 181.901, except that the term does not include a person, company, or
 1-30 corporation engaged in furnishing telephone service to the public.

1-31 (b) No regulatory authority, planning authority, or
 1-32 political subdivision of this state may adopt or enforce an
 1-33 ordinance, resolution, regulation, code, order, policy, or other
 1-34 measure that has the purpose, intent, or effect of directly or
 1-35 indirectly banning, limiting, restricting, discriminating against,
 1-36 or prohibiting the connection or reconnection of a utility service
 1-37 or the construction, maintenance, or installation of residential,
 1-38 commercial, or other public or private infrastructure for a utility
 1-39 service based on the type or source of energy to be delivered to the
 1-40 end-use customer.

1-41 (c) An entity, including a regulatory authority, planning
 1-42 authority, political subdivision, or utility, may not impose any
 1-43 additional charge or pricing difference on a development or
 1-44 building permit applicant for utility infrastructure that:

1-45 (1) encourages those constructing homes, buildings,
 1-46 or other structural improvements to connect to a utility service
 1-47 based on the type or source of energy to be delivered to the end-use
 1-48 customer; or

1-49 (2) discourages the installation of facilities for the
 1-50 delivery of or use of a utility service based on the type or source
 1-51 of energy to be delivered to the end-use customer.

1-52 (d) This section does not limit the ability of a regulatory
 1-53 authority or political subdivision to choose utility services for
 1-54 properties owned by the regulatory authority or political
 1-55 subdivision.

1-56 SECTION 2. This Act takes effect immediately if it receives
 1-57 a vote of two-thirds of all the members elected to each house, as
 1-58 provided by Section 39, Article III, Texas Constitution. If this
 1-59 Act does not receive the vote necessary for immediate effect, this
 1-60 Act takes effect September 1, 2021.

1-61 * * * * *