

By: Anderson

H.B. No. 2531

A BILL TO BE ENTITLED

AN ACT

relating to an accommodation process authorizing the use of state highway rights-of-way by broadband-only providers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 250, Transportation Code, is amended by adding Section 250.002 to read as follows:

Sec. 250.002. RIGHT-OF-WAY ACCOMMODATION FOR BROADBAND-ONLY PROVIDERS. (a) In this section, "broadband-only provider" means an entity that exclusively provides broadband service, as defined by Section 181.048, Utilities Code.

(b) The commission by rule shall:

(1) establish an accommodation process that authorizes broadband-only providers to use state highway rights-of-way, subject to highway purposes, for:

(A) new broadband facility installations;

(B) additions to or maintenance of existing broadband facility installations;

(C) adjustments or relocations of broadband facilities; and

(D) existing broadband facilities retained within the rights-of-way; and

(2) prescribe minimum requirements for the accommodation, method, materials, and location for the installation, adjustment, and maintenance of broadband facilities

1 under the accommodation process.

2 SECTION 2. Not later than the first anniversary of the
3 effective date of this Act, the Texas Transportation Commission
4 shall adopt the rules required by Section 250.002, Transportation
5 Code, as added by this Act.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.