

By: Nichols

S.B. No. 507

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to an accommodation process authorizing the use of state  
3 highway rights-of-way by broadband-only providers.

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

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

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

11 (b) The commission by rule shall:

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

15 (A) new broadband facility installations;

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

18 (C) adjustments or relocations of broadband  
19 facilities; and

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

22 (2) prescribe minimum requirements for the  
23 accommodation, method, materials, and location for the  
24 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.