

By: Ogden

S.B. No. 487

A BILL TO BE ENTITLED

AN ACT

relating to the relocation of utilities required for the improvement of the state highway system.

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

SECTION 1. Subchapter E, Chapter 203, Transportation Code, is amended by adding Section 203.0935 to read as follows:

Sec. 203.0935. TIMELY AGREEMENT. Not later than 90 days after the date that a utility receives written notification from the department that relocation of the utility's facilities is necessary for an improvement to the state highway system, the utility shall enter into an agreement with the department that provides for the relocation. If the utility fails to enter into an agreement within that 90-day period, the department may relocate the facilities at the sole cost and expense of the utility. The 90-day period may be extended by mutual agreement between the department and the utility.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.