

1-1 By: Gallegos S.B. No. 1689
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 14, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 14, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1689 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the relocation or replacement of a water or sanitation
1-11 sewer lateral on private property by a home-rule municipality.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 402.901, Local Government Code, is
1-14 amended by adding Subsection (k) to read as follows:

1-15 (k) Subsections (a)-(j) do not affect the ability of a
1-16 home-rule municipality, in exercising its home-rule powers under
1-17 Section 5, Article XI, Texas Constitution, to relocate or replace a
1-18 water or sanitation sewer lateral on private property without
1-19 making an assessment against the property or a person. In
1-20 exercising its home-rule powers for this purpose, the municipality
1-21 must restore the property to the condition existing before the
1-22 replacement or relocation of the lateral.

1-23 SECTION 2. This Act takes effect immediately if it receives
1-24 a vote of two-thirds of all the members elected to each house, as
1-25 provided by Section 39, Article III, Texas Constitution. If this
1-26 Act does not receive the vote necessary for immediate effect, this
1-27 Act takes effect September 1, 2003.

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