<div align="center">

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

</div>

TO: Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

FROM: John Keel, Director, Legislative Budget Board

IN RE: **SB487** by Ogden (Relating to the relocation of utilities required for the improvement of the state highway system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require a utility to enter into an agreement with the Texas Department of Transportation (TxDOT) to provide for the relocation of the utility's facilities no later than 90 days after the date that a utility would receive written notification from TxDOT stating that relocation of the utility's facilities is necessary for an improvement to the state highway system. The bill would allow TxDOT to relocate the facilities at the sole cost and expense of the utility, if the utility fails to enter into an agreement within that 90-day period. The bill would also allow the 90-day period to be extended by mutual agreement between the department and the utility.

Based on the analysis of the TxDOT, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. Although TxDOT assumes that a savings of approximately $5.2 million for the State Highway Fund would be realized each year due to contract cost reductions associated with utility adjustments, it is assumed that any savings realized would be used for other eligible transportation related expenditures.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2003.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation
LBB Staff: JK, RR, RT, MW, KG