

Amend Amendment No. 1 by King on page 24, between lines 9 and 10, by inserting the following:

Sec. 68.402. CERTAIN PUBLIC IMPROVEMENT PROJECTS BY MUNICIPALLY OWNED UTILITY. (a) Except as provided by Subsection (b), money that a municipally owned utility has set aside to pay the costs of a public improvement project that consists of burying the facilities of the utility shall first be used for that purpose.

(b) If the municipality or municipally owned utility is required to reimburse a communications network provider for the relocation of a communications facility under Section 68.101, the municipality or municipally owned utility may use the money described by Subsection (a) to pay all or part of the cost of that reimbursement.