

By: Van Arsdale

H.B. No. 1370

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the liability of excavators for damage to certain
3 underground facilities.

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

5 SECTION 1. Section 251.157(c), Utilities Code, is amended
6 to read as follows:

7 (c) An excavator who has fully complied with this chapter
8 is ~~may~~ not ~~be~~ liable for damage to an underground facility that
9 was not marked in accordance with this chapter.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2005.