

By: Bonnen

H.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to the relocation of utility facilities for state highway purposes.

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

SECTION 1. Section 203.0921(b), Transportation Code, is amended to read as follows:

(b) A utility whose facilities are relocated under Subsection (a) may ~~shall~~ reimburse the department for any amount expended or advanced by the department for the relocation. If the utility chooses to reimburse the department, the ~~The~~ utility shall enter into an agreement with the department providing for reimbursement. The agreement shall:

(1) require reimbursement of the amount expended plus interest to the department within five years from the date of completion of the work;

(2) provide for reimbursement by a lump-sum payment or by installments;

(3) require payment of interest at a rate of six percent per annum from the date of completion through the date of final payment; and

(4) contain other terms and conditions as may be mutually agreed upon by the department and the utility.

SECTION 2. This Act takes effect September 1, 2005.