

Amend HB 2655 (Second Reading Engrossment), as follows:

(1) On page 1, lines 20-21, strike "Subject to the provisions of Section 13.245 [Except as provided by Subsection (b), if]," and substitute "If [Except as provided by Subsection (b), if]".

(2) On page 2, lines 1-3, strike "To the extent of a conflict between this section and Section 13.245, Section 13.245 prevails."

(3) On page 2, lines 4-26, strike Subsections (b) and (c), and substitute the following:

(b) A municipality that seeks to extend a certificate of public convenience and necessity beyond the municipality's extraterritorial jurisdiction must ensure that the municipality complies with Section 13.241 in relation to the area covered by the portion of the certificate that extends beyond the municipality's extraterritorial jurisdiction.

(c) The commission, after notice to the municipality and an opportunity for a hearing, may decertify an area outside a municipality's extraterritorial jurisdiction if the municipality does not provide service to the area on or before the fifth anniversary of the date the certificate of public convenience and necessity was granted for the area. This subsection does not apply to a certificate of public convenience and necessity for an area:

(1) that was transferred to a municipality on approval of the commission; and

(2) in relation to which the municipality has spent public funds.

(d) To the extent of a conflict between this section and Section 13.245, Section 13.245 prevails. [The commission may not extend a municipality's certificate of public convenience and necessity beyond its extraterritorial jurisdiction without the written consent of the landowner who owns the property in which the certificate is to be extended. The portion of any certificate of public convenience and necessity that extends beyond the extraterritorial jurisdiction of the municipality without the consent of the landowner is void.]