

BILL ANALYSIS

C.S.H.B. 573
By: Gonzales
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, municipalities have the authority to assess fees for the costs of installation, operation and maintenance of street lighting to the citizens that it benefits. However, in unincorporated areas, a county does not have this same authority even when residents of a subdivision are perfectly willing to incur a cost in order to obtain street lighting.

C.S.H.B. 573 will grant authority to certain counties so that they may distribute the cost of installation, operation and maintenance of street lighting to the citizens it benefits, currently a common practice within municipalities and further allows the county to contract with an outside party for the collection of those fees.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 573 amends Chapter 280, Transportation Code, by adding Section 280.003 to provide counties that have any of their territory within 150 miles of the border the ability to charge residents of unincorporated areas for the installation, operation and maintenance of street lighting. It also adds a provision which ensures that the section does not supersede applicable provisions for street light service contained in the tariff of an electric utility.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the bill as filed by bracketing this bill to only apply to counties that have any of its territory within 150 mile of the international border.

In addition, the substitute clarifies that the county may not mandate a contract with a public or private entity. It also ensures that this bill does not supersede applicable provisions for street light service contained in the tariff of an electric utility.