

BILL ANALYSIS

Senate Research Center
80R5101 MTB-D

S.B. 385
By: Carona
Transportation and Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Utility companies currently pay for the relocation of utility facilities on most state projects except for toll roads and interstate highways. As a result of H.B. 2702, 79th Legislature, 2005, the Texas Department of Transportation (TxDOT) and the utility companies share the cost of relocation of a utility facility when relocation is required by the development of toll roads or turnpikes. Federal funds pay for relocation of facilities on interstate highways. In the future, the burden of relocation costs required by new toll road or turnpike projects will be placed entirely on the utility companies.

As proposed, S.B. 385 eliminates the phrase "before September 1, 2005," from Section 203.092(a)(3), Transportation Code, which placed the facility relocation costs required by new turnpike or toll projects on the utility companies after this date. This will allow Subsections (a-1) and (a-3) of that section to expire on September 1, 2007.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 203.092(a), Transportation Code, to delete the phrase "before September 1, 2005," as it relates to relocation of a utility facility as required by improvement of the state highway system that was designated by the Texas Transportation Commission as a turnpike project or toll project.

SECTION 2. Effective date: upon passage or September 1, 2007.