

AN ACT

relating to utility connections on certain tracts of property in certain counties near an international border.

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

SECTION 1. Section 232.029, Local Government Code, is amended by amending Subsection (b) and adding Subsections (k), (l), and (m) to read as follows:

(b) Except as provided by Subsections [~~Subsection~~] (c) and (k) or Section 232.037(c), a utility may not serve or connect any subdivided land with electricity or gas unless the entity receives a determination from the county commissioners court under Section 232.028(b)(2) that adequate water and sewer services have been installed to service the subdivision.

(k) Subject to Subsections (l) and (m), a utility that does not hold a certificate issued by, or has not received a determination from, the commissioners court under Section 232.028 to serve or connect subdivided property with electricity or gas may provide that service to a single-family residential dwelling on that property if:

(1) the person requesting utility service:

(A) is the owner and occupant of the residential dwelling; and

(B) on or before January 1, 2001, owned and occupied the residential dwelling;

1 (2) the utility previously provided the utility
2 service on or before January 1, 2001, to the property for the person
3 requesting the service;

4 (3) the utility service provided as described by
5 Subdivision (2) was terminated not earlier than five years before
6 the date on which the person requesting utility service submits an
7 application for that service; and

8 (4) providing the utility service will not result in:

9 (A) an increase in the volume of utility service
10 provided to the property; or

11 (B) more than one utility connection for each
12 single-family residential dwelling located on the property.

13 (l) A utility may provide service under Subsection (k) only
14 if the person requesting the service provides to the commissioners
15 court documentation that evidences compliance with the
16 requirements of Subsection (k) and that is satisfactory to the
17 commissioners court.

18 (m) A utility may not serve or connect subdivided property
19 as described by Subsection (k) if, on or after September 1, 2007,
20 any existing improvements on that property are modified.

21 SECTION 2. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 2096 was passed by the House on April 27, 2007, by the following vote: Yeas 133, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2096 on May 23, 2007, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2096 on May 26, 2007, by the following vote: Yeas 142, Nays 1, 2 present, not voting.

Chief Clerk of the House

H.B. No. 2096

I certify that H.B. No. 2096 was passed by the Senate, with amendments, on May 18, 2007, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2096 on May 27, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor