

1-1 By: Quintanilla, et al. (Senate Sponsor - Uresti) H.B. No. 2096  
1-2 (In the Senate - Received from the House April 30, 2007;  
1-3 May 2, 2007, read first time and referred to Committee on  
1-4 International Relations and Trade; May 16, 2007, reported  
1-5 adversely, with favorable Committee Substitute by the following  
1-6 vote: Yeas 4, Nays 0; May 16, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2096 By: Uresti

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to utility connections on certain tracts of property in  
1-11 certain counties near an international border.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 232.029, Local Government Code, is  
1-14 amended by amending Subsection (b) and adding Subsections (k), (l),  
1-15 and (m) to read as follows:

1-16 (b) Except as provided by Subsections [Subsection] (c) and  
1-17 (k) or Section 232.037(c), a utility may not serve or connect any  
1-18 subdivided land with electricity or gas unless the entity receives  
1-19 a determination from the county commissioners court under Section  
1-20 232.028(b)(2) that adequate water and sewer services have been  
1-21 installed to service the subdivision.

1-22 (k) Subject to Subsections (l) and (m), a utility that does  
1-23 not hold a certificate issued by, or has not received a  
1-24 determination from, the commissioners court under Section 232.028  
1-25 to serve or connect subdivided property with electricity or gas may  
1-26 provide that service to a single-family residential dwelling on  
1-27 that property if:

1-28 (1) the person requesting utility service:

1-29 (A) is the owner and occupant of the residential  
1-30 dwelling; and

1-31 (B) on or before January 1, 2001, owned and  
1-32 occupied the residential dwelling;

1-33 (2) the utility previously provided the utility  
1-34 service on or before January 1, 2001, to the property for the person  
1-35 requesting the service;

1-36 (3) the utility service provided as described by  
1-37 Subdivision (2) was terminated not earlier than one year before the  
1-38 date on which the person requesting utility service submits an  
1-39 application for that service; and

1-40 (4) providing the utility service will not result in:

1-41 (A) an increase in the volume of utility service  
1-42 provided to the property; or

1-43 (B) more than one utility connection for each  
1-44 single-family residential dwelling located on the property.

1-45 (l) A utility may provide service under Subsection (k) only  
1-46 if the person requesting the service provides to the commissioners  
1-47 court documentation that evidences compliance with the  
1-48 requirements of Subsection (k) and that is satisfactory to the  
1-49 commissioners court.

1-50 (m) A utility may not serve or connect subdivided property  
1-51 as described by Subsection (k) if, on or after September 1, 2007,  
1-52 any existing improvements on that property are modified.

1-53 SECTION 2. This Act takes effect September 1, 2007.

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