

By: Garcia

H.B. No. 3542

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the state or a county to designate the
3 location in the right-of-way where certain telephone facilities may
4 be placed.

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

6 SECTION 1. Subchapter E, Chapter 181, Utilities Code, is
7 amended by adding Section 181.0825 to read as follows:

8 Sec. 181.0825. NOTICE TO STATE OR COUNTY. (a) A telephone
9 or telegraph corporation proposing to install a facility under this
10 subchapter in the right-of-way of a state highway or a county road
11 not in a municipality shall give notice of the proposal to:

12 (1) the Texas Transportation Commission if the
13 proposal relates to a state highway; or

14 (2) the commissioners court of the county if the
15 proposal relates to a county road.

16 (b) On receipt of the notice, the Texas Transportation
17 Commission or the commissioners court may designate the location in
18 the right-of-way where the telephone or telegraph corporation may
19 place the facility.

20 SECTION 2. Section 181.0825, Utilities Code, as added by
21 this Act, applies to a facility that has not been installed on or
22 after the effective date of this Act. A facility installed before
23 the effective date of this Act is governed by the law in effect
24 immediately before the effective date of this Act.

1 SECTION 3. This Act takes effect September 1, 2007.