

SENATE AMENDMENTS

2nd Printing

By: Quintanilla, Pickett, et al.

H.B. No. 2096

A BILL TO BE ENTITLED

AN ACT

relating to utility connections on certain tracts of land 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) and (l) 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) The commissioners court may allow a utility that does not hold a certificate issued by, or has not received a determination from, the commissioners court under this subchapter to serve or connect subdivided land with electricity or gas if the land was subdivided and three or more of the lots in the subdivided land, including the lot proposed for service or a connection, were served or connected by the utility before January 1, 2001.

(l) Notwithstanding Subsection (k), a utility may not serve or connect subdivided land as described by that subsection if, on or after September 1, 2007, any portion of that land is improved or if any existing improvements on that land are modified.

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

ADOPTED

MAY 18 2007

Leta Spaw
Secretary of the Senate
H.B. No. 2096

By: *P. H. S. F.*

Substitute the following for H.B. No. 2096 :

By: Vresti

C.S.H.B. No. 2096

A BILL TO BE ENTITLED

AN ACT

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

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

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

8 (b) Except as provided by Subsections [~~Subsection~~] (c) and
9 (k) or Section 232.037(c), a utility may not serve or connect any
10 subdivided land with electricity or gas unless the entity receives
11 a determination from the county commissioners court under Section
12 232.028(b)(2) that adequate water and sewer services have been
13 installed to service the subdivision.

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

20 (1) the person requesting utility service:

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

23 (B) on or before January 1, 2001, owned and
24 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 one year before the
6 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.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 15, 2007

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2096** by Quintanilla (Relating to utility connections on certain tracts of property in certain counties near an international border.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, CL, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 10, 2007

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2096** by Quintanilla (Relating to utility connections on certain tracts of land in certain counties near an international border.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, CL, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 28, 2007

TO: Honorable Tracy King, Chair, House Committee on Border & International Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2096 by Quintanilla (Relating to utility connections on certain tracts of land in certain counties near an international border.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, CL, DB