

Amend CSHB 300 (committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1.____. The heading to Subchapter E, Chapter 186, Utilities Code, is amended to read as follows:

SUBCHAPTER E. CONSTRUCTION AND MAINTENANCE OF FACILITIES ALONG,
OVER, UNDER, OR ACROSS RAILROAD AND CERTAIN PUBLIC RIGHTS-OF-WAY
[~~RIGHT-OF-WAY~~]

SECTION 1.____. Subchapter E, Chapter 186, Utilities Code, is amended by adding Section 186.062 to read as follows:

Sec. 186.062. AUTHORITY TO LAY AND MAINTAIN PIPELINES. (a)
In this section, "gas utility" has the meaning assigned by Section
181.021, Utilities Code.

(b) Notwithstanding any other provision of this subchapter,
a common carrier, energy transporter, or gas utility has the right
to lay and maintain lines over, under, and across a public road, an
interurban railroad, a street railroad, a canal or stream, or a
municipal street or alley only if the common carrier, energy
transporter, or gas utility:

(1) is subject to the jurisdiction, control, and
regulation of the Railroad Commission of Texas and, as applicable,
subject to safety standard requirements pertaining to gas pipeline
facilities and transmission lines; and

(2) complies with all applicable state rules
consistent with this section and all applicable federal regulations
on the accommodation of utility facilities on a highway or
right-of-way, including applicable rules and regulations relating
to the horizontal and vertical location of a pipeline.

(c) The right granted by Subsection (b) relating to the use
of a municipal street or alley is subject to the payment of charges
in accordance with Section 121.2025 of this code and Section
182.025, Tax Code. Notwithstanding Section 203.092,
Transportation Code, an energy transporter shall relocate its
pipeline facilities at the energy transporter's expense unless it
has a property interest in the land occupied by the pipeline to be
relocated.

(d) A common carrier, energy transporter, or gas utility

that lays or maintains lines under this section shall promptly restore any transportation facility, canal, or stream to its former condition of usefulness after the installation or maintenance of the line is complete.