

## **BILL ANALYSIS**

Senate Research Center  
81R10380 TRH-F

H.B. 3346  
By: Farabee (Averitt)  
Natural Resources  
5/12/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, a person who is acquiring a natural gas pipeline right-of-way may represent to a property owner that the person has the right to acquire the right-of-way by the use of eminent domain. A change in statute is necessary to prevent a person acquiring pipeline right-of way and who is not a gas utility as defined by the Utilities Code, from abusing the power of eminent domain.

This bill redefines "gas utility" to include a certain person who represents to a property owner that the person has the right to acquire right-of-way by the use of eminent domain.

H.B. 3346 amends current law relating to the definition of gas utility.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 121.001(a), Utilities Code, as follows:

- (a) Provides that in this chapter, "gas utility" means a person who owns, manages, operates, leases, or controls in this state property or equipment or a pipeline, plant, facility, franchise, license, or permit for a business that owns, operates, or manages a pipeline for which the right-of-way has been or is hereafter acquired by exercising the right of eminent domain, or by representing to a property owner that the person has the right to acquire right-of-way by the use of eminent domain.

SECTION 2. Effective date: September 1, 2009.