

## **BILL ANALYSIS**

Senate Research Center  
81R8008 TRH-F

S.B. 1679  
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Natural Resources  
4/24/2009  
As Filed

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

The Texas Department of Transportation began demanding that operators of certain natural gas pipelines remove their facilities if those pipelines were located longitudinally along highway rights-of-way. As development of new pipeline infrastructure continues to take shape, particularly with new exploration, namely the Barnett Shale in Tarrant County and the surrounding area, it is important to clearly articulate where pipelines may be located in public rights-of-way.

As proposed, S.B. 1679 makes clear that gathering pipelines are allowed to operate, construct, and maintain their pipeline facilities, over, under, across, and along public rights-of-way.

### **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 Subchapter D, Chapter 111, Natural Resources Code, by adding Section 111.0831, as follows:

Sec. 111.0831. AUTHORITY OF CERTAIN COMMON PURCHASERS TO USE PUBLIC RIGHT-OF-WAY FOR PIPELINE. (a) Provides that a common purchaser as defined by Section 111.081(a)(2) (relating to the definition of "common purchaser") has the right to lay and maintain a pipeline over, under, across, and along a public road or a municipal street or alley.

(b) Authorizes a common purchaser to exercise authority under this section in relation to a municipal street or alley only with the consent of and subject to the direction of the governing body of the municipality.

SECTION 2. Effective date: September 1, 2009.