

By: Orr

H.B. No. 876

A BILL TO BE ENTITLED

AN ACT

relating to the installation of natural gas pipelines in controlled access highway rights-of-way.

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

SECTION 1. Subchapter E, Chapter 203, Transportation Code, is amended by adding Section 203.096 to read as follows:

Sec. 203.096. SUBSURFACE ACCESS IN RIGHT-OF-WAY. (a) The commission shall allow subsurface access to a controlled access highway right-of-way for the installation of a natural gas pipeline that does not interfere with existing utilities located in the right-of-way. The commission may regulate the horizontal or vertical location of the pipeline within the right-of-way.

(b) The commission may require a natural gas pipeline operator to relocate facilities at the cost of the operator to accommodate construction or expansion of the highway or for any other public work.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.