

By: Crownover, Hardcastle, King of Parker,
Parker, et al.

H.B. No. 1526

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a common purchaser that transports
natural gas by pipeline to use a public right-of-way for a pipeline.

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

SECTION 1. Subchapter D, Chapter 111, Natural Resources
Code, is amended by adding Section 111.0831 to read as follows:

Sec. 111.0831. AUTHORITY OF CERTAIN COMMON PURCHASERS TO
USE PUBLIC RIGHT-OF-WAY FOR PIPELINE. (a) A common purchaser as
defined by Section 111.081(a)(2) has the right to lay, maintain,
and operate a pipeline over, under, across, and along a public road
as provided by this chapter only if:

(1) the pipeline complies with:

(A) all safety regulations adopted by the
commission relating to pipeline facilities; and

(B) all applicable state and county regulations
regarding the placement of a pipeline facility on a right-of-way,
including a regulation on the horizontal or vertical placement of
the pipeline; and

(2) the common purchaser ensures that the public road
and any associated facility is promptly restored to its former
condition of usefulness after the installation or maintenance of
the pipeline.

(b) Notwithstanding Section 203.092, Transportation Code,
the Texas Department of Transportation may require the owner or

1 operator of a natural gas pipeline to relocate the pipeline:

2 (1) at the expense of the owner or operator of the
3 pipeline, if the pipeline is located on a right-of-way of the state
4 highway system; or

5 (2) at the expense of this state, if the pipeline is
6 located on property in which the owner or operator of the pipeline
7 has a private interest.

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