

By: England

H.B. No. 1566

A BILL TO BE ENTITLED

AN ACT

relating to the authority of municipalities to regulate natural gas compressor station structures.

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

SECTION 1. Chapter 214, Local Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. REGULATION OF NATURAL GAS COMPRESSOR STATIONS

Sec. 214.231. AUTHORITY TO REGULATE LOCATION. (a) The governing body of a municipality by ordinance may adopt zoning regulations applicable to natural gas compressor stations.

(b) In adopting zoning regulations applicable to a natural gas compressor station, the governing body of a municipality shall consider:

(1) the proximity of the station's location to residential areas;

(2) the height and size of the station relative to surrounding improvements;

(3) the aesthetic compatibility of the station with the surrounding area; and

(4) compliance with the municipality's comprehensive plan and the purposes described by Section 211.004.

Sec. 214.232. SAFETY REGULATIONS PERMITTED IN CERTAIN CIRCUMSTANCES. (a) The governing body of a municipality by ordinance may adopt safety standards applicable to natural gas

1 compressor stations by agreement with or through certification from
2 the United States Department of Transportation as provided by the
3 Pipeline Safety Act (49 U.S.C. Section 60101 et seq.).

4 (b) To the extent consistent with federal law, the governing
5 body of a municipality by ordinance may adopt safety standards
6 applicable only to aboveground features of natural gas compressor
7 stations without entering into an agreement or obtaining
8 certification as described by Subsection (a).

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