

By: Hamilton

H.B. No. 3435

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to exempting utility property from impact fees and  
3 assessments in certain districts.

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

5 SECTION 1. Title 1, Special District Local Laws Code is  
6 amended by adding Section 1.004 to read as follows:

7 Sec. 1.004. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
8 ASSESSMENTS. (a) This section applies only to a district created  
9 under the following:

10 (1) Subtitle C, Title 4, Special District Local Laws  
11 Code;

12 (2) Subtitle B, Title 6, Special District Local Laws  
13 Code

14 (3) Subtitle F, Title 6, Special District Local Laws  
15 Code; and

16 (4) Subtitle I, Title 6, Special District Local Laws  
17 Code.

18 (b) A district to which this section applies may not impose  
19 an impact fee or assessment on the property, including the  
20 equipment, rights-of-way, facilities, or improvements, of:

21 (1) an electric utility or a power generation company  
22 as defined by Section 31.002, Utilities Code;

23 (2) a gas utility as defined by Section 101.003 or  
24 121.001, Utilities Code;

1           (3) a telecommunications provider as defined by  
2 Section 51.002, Utilities Code; or

3           (4) a person who provides to the public cable service,  
4 video service or advanced telecommunications services.

5           SECTION 2. This Act takes effect September 1, 2009.