

By: Williams

S.B. No. 2059

A BILL TO BE ENTITLED

AN ACT

relating to the use of a public right-of-way by a telephone or telegraph corporation.

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

SECTION 1. Subchapter E, Chapter 181, Utilities Code, is amended by adding Section 181.090 to read as follows:

Sec. 181.090. RELOCATION OF LINES FOR ROAD IMPROVEMENTS.

(a) The Texas Transportation Commission or the commissioners court of a county may require a telephone or telegraph corporation to relocate, at the corporation's expense, a line of the corporation to allow for:

(1) widening a right-of-way;

(2) changing a traffic lane;

(3) improving a road bed; or

(4) improving a drainage ditch located on a right-of-way.

(b) The authority of the Texas Transportation Commission under this section is limited to a line of a telephone or telegraph corporation that is located on a state highway and not in the corporate limits of a municipality.

(c) The authority of a commissioners court of a county under this section is limited to a line of a telephone or telegraph corporation that is located on a county road and not in the corporate limits of a municipality.

1           SECTION 2. Section 181.090, Utilities Code, as added by  
2 this Act, applies only to a project to widen a right-of-way, change  
3 a traffic lane, improve a road bed, or improve a drainage ditch on a  
4 right-of-way that is begun on or after the effective date of this  
5 Act.

6           SECTION 3. This Act takes effect September 1, 2009.