

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 23, 2009**

**TO:** Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1253** by Seliger (Relating to the repeal of the power of certain districts and water supply corporations to allow the use of right-of-way easements for certain energy-related purposes.),  
**As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would repeal Section 49.2205, Water Code, which would remove authority of certain general law districts and water supply corporations from allowing others to construct, maintain, and operate transmission lines and pipelines over, under, across, on, or along rights-of-way and easements of the district or water supply corporation for transmission of electricity generated by those projects and the transportation of carbon dioxide and other greenhouse gases.

**Local Government Impact**

Section 49.2205 had been added to statute by the Eightieth Legislature, 2007. Districts responding to an inquiry by the Legislative Budget Board stated that they have not used the authorization provided by the section proposed to be repealed. Therefore, no fiscal implications to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, DB