

By: Raymond

H.B. No. 1688

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the right of a municipality to require that a
3 certificated telecommunications utility bear the expense of
4 relocating a utility facility.

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

6 SECTION 1. Section 54.203(c), Utilities Code, is amended to
7 read as follows:

8 (c) The governing body of a municipality may require a
9 certificated telecommunications utility to relocate the utility's
10 facility at the utility's expense to permit a public development
11 that increases the capacity or use of a public street, alley, road,
12 sidewalk, gutter, right-of-way, or public way, including a berm,
13 ditch, or shoulder, [~~the widening or straightening of a street~~] by:

- 14 (1) giving the utility 30 days' notice; and
15 (2) specifying the new location for the facility along
16 the right-of-way of the street.

17 SECTION 2. This Act takes effect September 1, 2011.