

By: Burnam

H.B. No. 3792

A BILL TO BE ENTITLED

AN ACT

relating to municipal authority to regulate gas pipelines located within the municipality.

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

SECTION 1. Section 121.202, Utilities Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Except as provided by Subsection (a) and by Section 121.2025, this subchapter does not reduce, limit, or impair:

(1) a power vested by law in:

(A) a county in relation to a county road; or

(B) a municipality; or

(2) the ability of a municipality to establish conditions for mapping or taking an inventory of pipelines and related appurtenances, including pumps, compressors, separators, dehydration units, and tank batteries, located in an area in the municipality's extraterritorial jurisdiction.

(c) A municipality may~~+~~

~~[(A)]~~ adopt an ordinance that establishes conditions for mapping, inventorying, locating, or relocating pipelines and related appurtenances, including pumps, compressors, separators, dehydration units, and tank batteries, located within ~~[over, under, along, or across a public street or alley or private residential area in]~~ the boundaries of the municipality~~[, or~~

1 [~~(B) establish conditions for mapping or taking~~
2 ~~an inventory in an area in a municipality's extraterritorial~~
3 ~~jurisdiction~~].

4 SECTION 2. Section 181.006, Utilities Code, is amended to
5 read as follows:

6 Sec. 181.006. CONSENT REQUIRED IN MUNICIPALITY. A gas
7 corporation may exercise authority under Sections 181.004 and
8 [~~Section~~] 181.005 in relation to a municipal street or alley with
9 the consent of and subject to the direction of the governing body of
10 the municipality.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2011.