

By: Geren, King of Taylor

H.B. No. 3853

Substitute the following for H.B. No. 3853:

By: Price

C.S.H.B. No. 3853

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of a gas or electric corporation to use
3 certain land to construct or operate a transmission line.

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

5 SECTION 1. Section 181.007, Utilities Code, is amended to
6 read as follows:

7 Sec. 181.007. AUTHORITY TO OWN, HOLD, AND USE LAND OR OTHER
8 PROPERTY. (a) Except as provided by Subsection (b), a [A] gas or
9 electric corporation has the power to own, hold, or use land, a
10 right-of-way, an easement, a franchise, or a building or other
11 structure as necessary for the purpose of the corporation.

12 (b) If a gas or electric corporation constructs a
13 transmission line over, under, or across land that the 2007 state
14 water plan proposed to use for constructing a reservoir and that was
15 designated before January 1, 2011, as a site of unique value for the
16 construction of a reservoir under Section 16.051(g) or (g-1), Water
17 Code, the corporation is liable for costs related to removing,
18 reconstructing, or relocating the transmission line.

19 (c) Subsection (b) does not apply to construction of a
20 transmission line that begins before September 1, 2011, or
21 construction of a transmission line that the Public Utility
22 Commission of Texas approves before September 1, 2011.

23 SECTION 2. This Act applies only to a transmission line the
24 construction of which begins on or after the effective date of this

1 Act or that the Public Utility Commission of Texas approves before
2 the effective date of this Act. A transmission line the
3 construction of which began before the effective date of this Act or
4 that the Public Utility Commission of Texas approves before the
5 effective date of this Act is governed by the law in effect on the
6 date the construction began or the approval occurred, and that law
7 is continued in effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2011.