

By: Geren

H.B. No. 3853

A BILL TO BE ENTITLED

AN ACT

relating to a limitation of authority of a gas or electric corporation in the acquisition of land designated as a reservoir.

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

SECTION 1. Chapter 181.007, Utilities Code, is amended to read as follows:

Sec. 181.007. AUTHORITY TO HOLD LAND OR OTHER PROPERTY. (a) A gas or electric corporation has the power to own, hold, or use land, a right-of-way, an easement, a franchise, or a building or other structure as necessary for the purpose of the corporation.

(b) Notwithstanding Subsection (a), a gas or electric corporation may not construct a transmission line on or adjacent to any land designated by the legislature as a site of unique value for the construction of a reservoir under Section 16.051, Water Code. If the exercise of such authority in violation of this Subsection requires the removal, reconstruction, or relocation of a transmission line of the corporation in order to construct or operate a designated reservoir, the gas or electric corporation shall bear the cost and there shall be no liability for the sponsor of the reservoir.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.