

By: Harper-Brown

H.B. No. 3645

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the relocation of a facility of a municipally owned
3 utility required by the improvement of a turnpike or toll project of
4 the Texas Department of Transportation.

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

6 SECTION 1. Subchapter E, Chapter 203, Transportation Code,
7 is amended by adding Section 203.096 to read as follows:

8 Sec. 203.096. RELOCATION OF MUNICIPALLY OWNED FACILITY.
9 Notwithstanding Section 203.092 or any other law, a municipally
10 owned utility, as defined by Section 11.003, Utilities Code, shall
11 make a relocation of a utility facility at the expense of this state
12 if the relocation is required by the improvement of a turnpike
13 project or toll project.

14 SECTION 2. The change in law made by this Act applies to a
15 relocation of a utility facility for which a utility adjustment
16 agreement is executed on or after the effective date of this Act. A
17 relocation for which a utility adjustment agreement was executed
18 before the effective date of this Act is governed by the law in
19 effect on the date the agreement was executed, and the former law is
20 continued in effect for that purpose.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.