

By: Miller

H.B. No. 931

A BILL TO BE ENTITLED

1 AN ACT

2 relating to liability of certain electric utilities that allow  
3 certain uses of land that the electric utility owns, occupies, or  
4 leases.

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

6 SECTION 1. Section 75.0022(a)(3), Civil Practice and  
7 Remedies Code, is amended to read as follows:

8 (3) "Premises" includes the land owned, occupied, or  
9 leased by an electric utility, or covered by an easement owned by an  
10 electric utility, with respect to which public access and use is  
11 allowed in a written agreement with a person [~~political~~  
12 ~~subdivision~~] under Subsection (c).

13 SECTION 2. Sections 75.0022(b), (c), and (h), Civil  
14 Practice and Remedies Code, are amended to read as follows:

15 (b) This section applies only to an electric utility located  
16 in:

17 (1) a county with a population of four million or more;

18 (2) a county adjacent to a county with a population of  
19 four million or more;

20 (3) a county adjacent to a county described by  
21 Subdivision (2) with a population of:

22 (A) more than 41,200 but less than 41,900;

23 (B) more than 36,500 but less than 36,800; or

24 (C) more than 28,300 but less than 30,000; or

1           (4) a county adjacent to a county described by  
2 Subdivision (3) with a population of more than 20,700 but less than  
3 21,100.

4           (c) An electric utility, as the owner, easement holder,  
5 occupant, or lessee of land, may enter into a written agreement with  
6 a person [~~political subdivision~~] to allow public access to and use  
7 of the premises of the electric utility for recreation, exercise,  
8 relaxation, travel, or pleasure.

9           (h) A written agreement entered into under this section may  
10 require the person with whom the electric utility has made the  
11 agreement [~~political subdivision~~] to provide or pay for insurance  
12 coverage for any defense costs or other litigation costs incurred  
13 by the electric utility for damage claims under this section.

14           SECTION 3. The change in law made by this Act applies only  
15 to a cause of action that accrues on or after the effective date of  
16 this Act. A cause of action that accrues before the effective date  
17 of this Act is governed by the law in effect immediately before that  
18 date, and that law is continued in effect for that purpose.

19           SECTION 4. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2017.