By:  Minjarez H.B. No. 4052

A BILL TO BE ENTITLED

AN ACT

relating allowable utility charges by a county .

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

SECTION 1.  Section 33.007, Utilities Code, is amended as follows:

Sec. 33.007.  ALLOWABLE CHARGES. (a) A municipality that performs a regulatory function under this title may make each charge that is authorized by:

(1)  this title; or

(2)  the applicable franchise agreement.

(b)  A county that provides use of easement or right of way under this title shall make a charge to be paid by the electric utility for such use. The charge shall be authorized by an applicable interlocal agreement between the county and electric utility. The county may withhold easement or right of way access until such an interlocal agreement is approved by both parties.

SECTION 2.  Section 103.0021, Utilities Code, is added as follows:

Sec. 103.0021.  COUNTY CHARGES. (a) A county that provides use of easement or right of way shall make a charge to be paid by the gas utility for such use. The charge shall be authorized by an applicable interlocal agreement between the county and gas utility. The county may withhold easement or right of way access until such an interlocal agreement is approved by both parties.

SECTION 3.  The changes in the law made by this Act apply only to payments made after the effective date of this Act.

SECTION 4.  This Act takes effect September 1, 2019.