

By: Kuempel

H.B. No. 1446

A BILL TO BE ENTITLED

AN ACT

relating to use of an electric cooperative's easements or property for broadband service.

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

SECTION 1. Subchapter C, Chapter 181, Utilities Code, is amended by adding Section 181.048 to read as follows:

Sec. 181.048. ELECTRIC COOPERATIVE BROADBAND FACILITIES.

(a) In this section, "broadband service" means Internet service with:

(1) a download speed of 25 megabits per second or faster; and

(2) an upload speed of three megabits per second or faster.

(b) An electric cooperative organized under Chapter 161 or an electric cooperative affiliate may construct, operate, and maintain cables and other facilities for providing broadband service over, under, across, on, or along real property, personal property, rights-of-way, and easements owned, held, or used by the cooperative. An easement or other property right owned, held, or used by the electric cooperative to provide electricity or other services may also be used to provide broadband service.

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

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.