

By: Hall

S.B. No. 1206

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain electricity services.

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

SECTION 1. Section 31.002(20), Utilities Code, is amended to read as follows:

(20) "Transmission service" includes siting, construction, or enlargement of transmission facilities and infrastructure, including substations, transmission over distribution facilities, control area services, scheduling resources, regulation services, reactive power support, voltage control, provision of operating reserves, and any other associated electrical service the commission determines appropriate, except that, on and after the implementation of customer choice, control area services, scheduling resources, regulation services, provision of operating reserves, and reactive power support, voltage control, and other services provided by generation resources are not "transmission service."

SECTION 2. Section 37.052, Utilities Code, is amended by adding Subsection (d) to read as follows:

(d) A municipality that receives a request from an electric utility for written consent under Subsection (c)(2) for the siting, construction, or enlargement of the transmission facilities, including substations:

(1) shall send written notice to the electric utility

1 that includes the municipality's conditions the electric utility  
2 must meet before siting, construction, or enlargement of the  
3 facilities may proceed; and

4 (2) is considered to have consented to the siting,  
5 construction, or enlargement of the facilities if the municipality  
6 does not respond in writing to the request before the 90th day after  
7 the date the electric utility submitted the request.

8 SECTION 3. Section 181.042, Utilities Code, is amended to  
9 read as follows:

10 Sec. 181.042. AUTHORITY TO CONSTRUCT, MAINTAIN, AND OPERATE  
11 LINES AND RELATED FACILITIES. An electric utility has the right to  
12 construct, maintain, and operate lines and related facilities over,  
13 under, across, on, or along a state highway, a county road, a  
14 municipal street or alley, or other public property in a  
15 municipality.

16 SECTION 4. Section 181.043, Utilities Code, is amended by  
17 adding Subsection (c) to read as follows:

18 (c) A municipality that receives a request from an electric  
19 utility for the municipality's consent to an activity described by  
20 Section 181.042:

21 (1) shall send written notice to the electric utility  
22 that includes the municipality's conditions the electric utility  
23 must meet before the activity may proceed; and

24 (2) is considered to have consented to the activity if  
25 the municipality does not respond in writing to the request before  
26 the 90th day after the date the electric utility submitted the  
27 request.

1           SECTION 5. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2025.