

BILL ANALYSIS

Senate Research Center
76R7912 JJT-F

C.S.S.B. 1797
By: Duncan
Natural Resources
4/12/1999
Committee Report (Substituted)

DIGEST

Currently, under Texas law, gas utilities or municipally owned utilities may refuse to provide services to a school district even if pipeline capacity is available on an existing facility of the utility. This would prohibit a gas utility or municipally owned utility from refusing to provide services to a school district under certain circumstances.

PURPOSE

As proposed, C.S.S.B. 1797 prohibits a gas utility or municipally owned utility from refusing to provide services to a school district under certain circumstances.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 104F, Utilities Code, by adding Section 104.2545, as follows:

Sec. 104.2545. REQUIRED SERVICE TO SCHOOL DISTRICT. Defines "service site." Sets forth certain services a gas utility or municipally owned utility is prohibited from refusing to a school district at a service site, unless the utility is prohibited by other law from providing the service and if sufficient pipeline capacity is available on an existing facility of the utility to provide the service. Requires a utility to provide a service described by Subsection (b) at rates provided by a written contract negotiated between the utility and the state or a state agency. Authorizes the Railroad Commission to determine a fair and reasonable rate for the school district as a rate for a separate class of service, if the utility and the state or state agency are not able to agree to a contract rate.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Chapter 104F, Utilities Code, by adding Section 104.2545, regarding required service to school districts. Deletes proposed SECTION 1.