

BILL ANALYSIS

Senate Research Center

H.B. 3604
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Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

In 1999, the legislature authorized an electric, gas, water, or sewer service utility to provide services if the utility received a certificate issued by the commissioners court. The certificate must state that the subdivided land was purchased before September 1, 1995; is located in a subdivision in which the utility has previously provided service; and is the site of construction of a residence that was begun on or before May 1, 1997. These provisions and restrictions also apply to extraterritorial jurisdictions (ETJ). The 1999 legislation may have made it difficult for persons who bought land in an ETJ between September 1, 1995, and September 1, 1999, to obtain a certificate for utility service. H.B. 3604 authorizes a utility to provide service to land located in a subdivision in which the utility has previously provided service if the utility is provided with a certificate issued by a commissioners court that states that the land in an ETJ was sold or conveyed to the person requesting service before September 1, 1999, and construction of a residence was begun on the land on or before May 1, 2003, if the subdivided land was located in the ETJ on August 31, 1999.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 232.029(c), (e), and (f), Local Government Code, as follows:

- (c) Authorizes an electric, gas, water, or sewer service utility to serve or connect subdivided land with water, sewer, electricity, gas, or other utility service regardless of whether the utility receives a certificate issued by the commissioners court under Section 232.028(a) or receives a determination from the commissioners court under Section 232.028(b) if the utility is provided with a certificate issued by the commissioners court that makes certain statements.
- (e) Authorizes a person requesting service to obtain a certificate under Subsection (c)(1) only if the person provides to the commissioners court certain items.
- (f) Authorizes a person requesting service to obtain a certificate under Subsection (c)(2) only if the person provides to the commissioners court a certain affidavit.

SECTION 2. Effective date: September 1, 2001.