

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2585
By: Harper-Brown; Bonnen, Dennis (Paxton)
Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Highway projects, including toll roads, often result in the need to move utility facilities that occupy the right of way. In 2005, a cost-sharing plan for facility relocations was established by the legislature and passed as part of H.B. 2702.

Current law states that the state and utilities will equally share the cost of relocating utility facilities for state toll road projects. Utility companies with facilities in the right-of-way currently receive reimbursement for relocating facilities in state toll road projects through toll revenue. The current reimbursement for the relocation of utilities for these projects is set to expire on September 1, 2013.

C.S.H.B. 2585 amends current law relating to the reimbursement of utilities for relocation of utility facilities following improvement or construction of certain tolled highways.

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 Section 203.092(a-1), (a-2), and (a-3), Transportation Code, as follows:

(a-1) Requires the Texas Department of Transportation (TxDOT) and the utility, notwithstanding Subsection (a)(3) (relating to requiring a utility to relocate a utility facility at the expense of the state if the relocation is required by improvement of a segment of the state highway system that was designated as a turnpike or toll project under certain circumstances), to share equally the cost of the relocation of a utility facility that is required by the improvement of a nontolled highway to add one or more tolled lanes, rather than a utility facility that is made before September 1, 2013, and is required by the improvement of a nontolled highway to add one or more tolled lanes. Deletes existing text providing that this subsection expires September 1, 2013.

(a-2) Requires TxDOT and the utility, notwithstanding Subsection (a)(3), to share equally the cost of the relocation of a utility facility that is required by the improvement of a nontolled highway that has been converted to a turnpike project or toll project, rather than a utility facility that is made before September 1, 2013, and required by the improvement of a nontolled highway that has been converted to a turnpike project or toll project. Deletes existing text providing that this subsection expires September 1, 2013.

(a-3) Requires TxDOT and the utility, notwithstanding Subsection (a)(3), to share equally the cost of the relocation of a utility facility that is required by the construction on a new location of a turnpike project or toll project or the expansion of such a turnpike project or toll project, rather than a utility facility that is made before September 1, 2013, and required by the construction on a new location of a turnpike project or toll project or the expansion of such a turnpike project or toll project. Deletes existing text providing that this subsection expires September 1, 2013.

SECTION 2. Effective date: upon passage or the 91st day after the last day of the legislative session.