

1-1 By: Hinojosa S.B. No. 2601
 1-2 (In the Senate - Filed April 6, 2023; April 13, 2023, read
 1-3 first time and referred to Committee on Transportation;
 1-4 April 26, 2023, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 26, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to payment of costs related to the relocation of certain
 1-20 utility facilities for state highway projects.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 203.092(a-4), Transportation Code, is
 1-23 amended to read as follows:

1-24 (a-4) Notwithstanding another provision of this section, a
 1-25 utility shall make a relocation of a utility facility required by
 1-26 improvement of the state highway system at the expense of this state
 1-27 if the commission determines that:

1-28 (1) the utility is a political subdivision, ~~[or]~~ is
 1-29 owned or operated by a political subdivision, or is a water supply
 1-30 or sewer service corporation organized and operating under Chapter
 1-31 67, Water Code;

1-32 (2) a financial condition would prevent the utility
 1-33 from being able to pay the cost of relocation in full or in part at
 1-34 the time of relocation or, if paid at that time, the payment would
 1-35 adversely affect the utility's ability to operate or provide
 1-36 essential services to its customers; and

1-37 (3) the utility:

1-38 (A) would not be able to receive a state
 1-39 infrastructure bank loan under Subchapter D, Chapter 222, to
 1-40 finance the cost of the relocation and is otherwise unable to
 1-41 finance that cost; or

1-42 (B) if the utility is a political subdivision or
 1-43 is owned or operated by a political subdivision, the political
 1-44 subdivision ~~[that]~~:

1-45 (i) has a population of less than 5,000; and

1-46 (ii) is located in a county that has been
 1-47 included in at least five disaster declarations made by the
 1-48 president of the United States in the six-year period preceding the
 1-49 proposed date of the relocation.

1-50 SECTION 2. This Act takes effect immediately if it receives
 1-51 a vote of two-thirds of all the members elected to each house, as
 1-52 provided by Section 39, Article III, Texas Constitution. If this
 1-53 Act does not receive the vote necessary for immediate effect, this
 1-54 Act takes effect September 1, 2023.

1-55 * * * * *