

BILL ANALYSIS

Senate Research Center

S.B. 1512
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As Filed

DIGEST

Currently, a significant number of people are living in subdivisions that have been developed in economically distressed areas throughout South Texas along the international border with Mexico and in some parts of East Texas. Many people purchased land in these subdivisions based on the assumption and sometimes on the promise of the developer, that basic service, such as water, sewer, electricity, and gas, would be provided. Many of these developers have disappeared without platting the subdivisions and without providing for basic services.

Texas penalizes the residents of subdivisions that have been abandoned by the developer. A water, sewer, electric, or gas utility is prohibited from providing hook-ups or service to residents of a subdivision that has not been platted. Therefore, even in subdivisions where current water, sewer, electric, or gas services exist, residents may be prohibited from utilizing those services. This prohibition on the utilization of existing services increases the risk of health hazard from third world illnesses for the residents of these subdivisions. Health risk along the border in affected countries, the mobile nature of the residents and trade, transportation, and commerce along the border of the United States increases the risk of disease spreading to the residents of this state. S.B. 1512 would allow utilities to serve residents who purchased lots prior to July 1, 1995 in subdivisions in which the utilities currently provide service.

PURPOSE

As proposed, S.B. 1512 outlines provisions regarding the provision of utility service in economically distressed subdivisions.

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 Section 232.029, Local Government Code, to authorize an electric, gas, water, or sewer utility connection or service to a lot if certain conditions are satisfied, notwithstanding the requirements of Subsections (a) or (b) of this section. Deletes text prohibiting an electric or gas utility from providing electric or gas utility connection or service to a certain lot by a certain subdivider prior to July 1, 1995. Sets forth items a purchaser is required to provide to the utility in order to establish that a lot was sold or conveyed prior to July 1, 1995 under Subsection (c).

SECTION 2. Amends Section 212.012, Local Government Code, to set forth instances in which an entity described in Subsection (b) is authorized to provide water, sewer, electricity, gas or other utility connection or service to land, notwithstanding the requirements of Subsection (a) of this section. Deletes existing Subsection (c) describing an area for which this section does not apply. Sets forth items the purchaser is required to provide to the utility in order to establish that a lot was sold or conveyed prior to September 1, 1995. Deletes existing Subsection (d) regarding certain prohibitions.

SECTION 3. Emergency clause.
Effective date: upon passage.