

## **BILL ANALYSIS**

Senate Research Center  
78R5021 JTS-F

S.B. 487  
By: Ogden  
Infrastructure Development and Security  
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As Filed

### **DIGEST AND PURPOSE**

Highway and bridge projects often involve relocating utility lines and facilities that are used in producing, transmitting, or distributing communications, electricity, natural gas, water, and sewage. Disrupted service and increased costs associated with these projects may occur if the lines and facilities are not relocated in a timely manner. Delays in relocating utilities also may cause construction work to be rescheduled or delayed, or result in contractor claims or litigation. Safety concerns may also arise from leaving excavation sites open while conflicts are resolved. As proposed, S.B. 487 requires a utility to enter into an agreement with the Texas Department of Transportation (TxDOT) to relocate its facilities within a certain time period, with a provision for a mutually agreed upon extension. This bill also provides for the relocation to be undertaken by TxDOT at the utility's expense if the utility does not enter into an agreement with TxDOT.

### **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 Subchapter E, Chapter 203, Transportation Code, by adding Section 203.0935, as follows:

Sec. 203.0935. TIMELY AGREEMENT. Requires a utility to enter into an agreement with the Texas Department of Transportation (TxDOT) to relocate the utility's facilities not later than 90 days after receiving written notification from TxDOT that improvements to the state highway system require the relocation. Authorizes TxDOT to relocate the facilities at the expense of the utility should it fail to enter into an agreement with TxDOT. Authorizes a mutually agreed upon 90-day extension.

SECTION 2. Effective date: upon passage or September 1, 2003.