

BILL ANALYSIS

H.B. 1427
By: Fallon
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have expressed confusion regarding the scope of the limitation on a municipality's authority to regulate the operation of electric cooperatives as it relates to the placement of electrical substations. H.B. 1427 seeks to address this confusion by clarifying that such limitation does not prohibit a municipality from enforcing the municipality's zoning or other land use regulations, with certain exceptions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1427 amends the Utilities Code to establish that statutory provisions relating to the limitation of a municipality's authority to regulate an electric cooperative do not prohibit a municipality from enforcing the municipality's zoning or other land use regulations, including a specific use permit, but the bill prohibits a municipality's enforcement of the municipality's land use regulations from operating to exclude the electric cooperative from the municipality or from directly conflicting with a certification of convenience and necessity granted by the Public Utility Commission of Texas.

EFFECTIVE DATE

September 1, 2017.