

BILL ANALYSIS

Senate Research Center
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H.B. 1166
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public hike and bike trails provide many benefits, including supplementing transportation infrastructure, reducing congestion, connecting communities, and encouraging a healthy lifestyle. However, acquiring real estate in an urban area that is suitable for development of hike and bike trails can be both difficult and expensive. By utilizing an electric utility's property, miles of public hike and bike trails can be constructed at virtually no cost for land.

Current law imposes tort liability against electric utilities for events that occur in a utility's right-of-way.

The 83rd Legislature passed H.B. 200, relating to the liability of electric utilities in Harris County that allow a city to use the utility's right-of-way for recreational purposes. Specifically, H.B. 200 established limitations on the liability of certain electric utilities that allow public use of the utility's property for recreation and certain other purposes.

H.B. 1166 extends the limitation of liability to Fort Bend County only.

H.B. 1166 amends current law relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.

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 75.0022(b), Civil Practice and Remedies Code, as follows:

(b) Provides that this section (Limited Liability of Certain Electric Utilities) applies only to an electric utility located in:

- (1) creates this subdivision from existing text and makes no further changes to this subdivision; or
- (2) a county with a population of 550,000 or more that is adjacent to a county described by Subdivision (1) (relating to a county with a population of four million or more).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2017.