

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 2779
Version:	CCS
Request Number:	8272
Author:	Rep. Pfeiffer
Date:	5/19/2021
Impact:	None

Research Analysis

Conference Committee Report A to HB 2779 allows a rural electric cooperative to use an easement it holds for electric services to also use it to supply high-speed internet service. The measure prohibits a class action lawsuit against the rural electric cooperative or its broadband subsidiary based on a claim of expanded use of an easement when used for these purposes. In a trespass or inverse condemnation suit based on a claim of expanded use of an easement, any trespass found will be deemed permanent and the actual damages awarded will be the fair market value.

The bill allows a broadband provider with a current pole attachment agreement with the electric cooperative to also use the cooperative's above ground easement to provide high speed internet service.

Prepared By: Sean Webster

Fiscal Analysis

HB 2779 allows for rural electric cooperatives, their subsidiaries or other providers to use either the cooperatives above or below ground easement to provide broadband services. It also limits the types of lawsuits and damages that can be found. As no State entity is specifically involved nor requires the State to be involved in any process there should be no fiscal impact to the State.

Prepared By: Mariah Searock

Other Considerations

None.