

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 457
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Author:	Sen. Howard
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Bill Analysis

SB 457 provides that any easement held by an electric provider for the purpose of electric services may also be used by the electric provider or its wholly owned subsidiary or approved broadband provider for the purpose of supplying high-speed broadband service. The measure also provides that a class action lawsuit may not prevail against an electric provider for such a use as it relates to expanded use of an easement. In the case of trespass, nuisance, or inverse condemnation against an electric provider or its broadband subsidiary, based on a claim of expanded use of an easement, any trespass, nuisance, or condemnation found to exist shall be deemed permanent and the actual damages awarded shall be the fair market value. Broadband providers with a current pole attachment agreement with the electric provider are authorized to use the above ground easement.

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