

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB1965
Version:	SAHB
Request Number:	
Author:	Rep. Newton
Date:	5/8/2023
Impact:	\$0

Research Analysis

The Senate amendments to HB 1965 remove language requiring eligible easements to be above ground, require the provider to attempt to notify the property owner of the new utilization of their land, and modify the definition of a telecommunications provider to specify providers with pole attachment agreements with an electric provider.

HB 1965, as amended, allows electric, telecommunications, and broadband providers to utilize existing electrical utility easements to provide or expand access to broadband services. The measure prohibits class action lawsuits alleging trespass, nuisance or inverse condemnation based on a claim of expanded easement use when the broadband facilities are located on above ground property owned or utilized by an electric provider. Such claims must be brought individually by a property owner. Upon a successful claim by the property owner and payment of damages to the property owner, an electric or broadband provider will be granted a permanent easement for the use of the facilities installed.

Prepared By: Autumn Mathews

Fiscal Analysis

This measure should not create a fiscal impact for the state. The Senate Amendment's do change the fiscal impact of this measure.

Prepared By: Mariah Searock, House Fiscal Staff

Other Considerations

None.