

RESOLUTION OF COMMISSIONERS COURT OF FORT BEND COUNTY

IN SUPPORT OF LEGISLATION RELATING TO LIABILITY OF CERTAIN ELECTRIC UTILITIES THAT ALLOW CERTAIN USES OF LAND THAT THE ELECTRIC UTILITY OWNS, OCCUPIES OR LEASES

**WHEREAS**, Fort Bend County has many acres of green space stretching for miles within electric utility easements that would be ideal for golf courses, parking lots, dog parks and walking and bicycle trails; and

**WHEREAS**, electric utilities cite the potential liability for risk or injury as obstacles for allowing such uses within its easements; and

**WHEREAS**, legislation has been introduced in the 85<sup>th</sup> Legislation (HB 1166) that would reasonably limit the liability of electric utilities that allow hike and bike trails on land within their electric utility easements; and

**WHEREAS**, the current legislation would extend to Fort Bend County the changes in electric utility liability that was granted exclusively to Harris County by the 83<sup>rd</sup> legislature in 2013; and

**WHEREAS**, Commissioners Court of Fort Bend County, Texas believes it is in the best interest of its residents to support House Bill 1166, and request the House Judiciary & Civil Jurisprudence Committee favorably vote the legislation out of Committee and allow a floor vote.

**NOW, THEREFORE, BE IT RESOLVED:** that the Commissioners Court of Fort Bend County, Texas supports House Bill 1166 and its changes to Section 75.0022(b), Civil Practice and Remedies Code to afford an electric utility located in Fort Bend County the same protection provided to an electric utility located in Harris County regarding the liability for certain uses of land that electric utility owns, occupies or leases.

**PASSED AND APPROVED** the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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County Judge Robert E. Hebert

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Commissioner Vincent Morales, Jr, Precinct 1

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Commissioner Grady Prestage, Precinct 2

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Commissioner Andy Meyers, Precinct 3

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Commissioner James Patterson, Precinct 4

ATTEST:

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Laura Richard, County Clerk