

HCS HB 661 -- REIMBURSEMENT FOR RELOCATION OF UTILITY FACILITIES

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 15 to 1, with 1 voting present. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 7 to 2.

The following is a summary of the House Committee Substitute for HB 661.

This bill requires municipalities and the Missouri Department of Transportation to reimburse non-rate-regulated utility providers, including telecommunications, Internet, and cable providers, for facility relocation due to road maintenance, construction, or other right-of-way work activity.

This bill is the same as HCS HB 2056 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that affected companies have no say in the relocation of their facilities. They should be reimbursed when decisions by the local governments or MoDOT cause costly relocations. Otherwise, costs are passed to the consumers. This bill will help get broadband to all Missourians faster. Companies have to use the right-of-way and many pay fees to do so, they shouldn't also be forced to bear this cost. The political subdivisions that benefit from the services should pay. The upcoming I-70 expansion will result in significant relocation costs.

Testifying in person for the bill were Representative Keathley; Associated Industries of Missouri; Missouri Chamber of Commerce and Industry; Association of Missouri Electric Cooperatives; Gateway Fiber; At&T; MCTA (The MO Cable Telecommunication Assoc.)

OPPONENTS: Those who oppose the bill say that if the cost of relocation falls on a local government, it really falls on the taxpayer. Many relocations come as a consequence of expanding sewer, water, and electric when communities are expanding. It is bad public policy to hinder this growth.

Testifying in person against the bill were Pat Kelly, Municipal League of Metro StL; Will Marrs, City of Springfield; Rebecca Eichelberger, Missouri Association Of Municipal Utilities; Richard

Missouri Municipal League; Arnie C.Dienoff; Zach Pollock, City Of Lee's Summit; Cara Stark, City Of Columbia.

OTHERS: Others testifying on the bill say the right-of-way is a six-foot corridor on the outside of roads which require no permits or rent. The trade-off is that if relocations need to happen, the cost is on the company. Private easements are purchased by the state to make the right-of-way.

Testifying in person on the bill was Eric Schroeter, MoDOT.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.