

By: Martinez

H.B. No. 2094

Substitute the following for H.B. No. 2094:

By: Lucio III

C.S.H.B. No. 2094

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the right to remove property encroaching on areas owned
3 or controlled by the Hidalgo County Drainage District Number 1.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. (a) In this section, "telecommunications
6 provider" has the meaning assigned by Section 51.002, Utilities
7 Code.

8 (b) This section does not apply to property owned by a
9 telecommunications provider.

10 (c) In order to carry out district purposes, the Hidalgo
11 County Drainage District Number 1 may remove real or personal
12 property placed on land owned by the district or land subject to an
13 easement held by the district, regardless of when the real or
14 personal property was put in place and without the consent of the
15 owner of the property. The district must send notice by certified
16 mail to the owner of property on which the district intends to act
17 under this section. Not earlier than the 30th day after the date
18 the notice is sent, the district must send a second notice by
19 certified mail. The district may use existing civil lawsuit
20 processes against the owner of the property to recover the cost of
21 removing the property not earlier than the 30th day after the date
22 the second notice was received.

23 SECTION 2. This Act takes effect September 1, 2021.