

By: Rogers

H.B. No. 695

A BILL TO BE ENTITLED

AN ACT

relating to the exercise of the power of eminent domain to acquire property for wind power facilities.

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

SECTION 1. Subchapter A, Chapter 2206, Government Code, is amended by adding Section 2206.003 to read as follows:

Sec. 2206.003. USE OF EMINENT DOMAIN FOR WIND POWER PROHIBITED. Notwithstanding any other law, a governmental or private entity may not take private property through the use of eminent domain for the purpose of developing or operating a wind power facility, as defined by Section 301.0001, Utilities Code.

SECTION 2. Section 2206.003, Government Code, as added by this Act, applies to the acquisition of real property in connection with an initial offer made under Chapter 21, Property Code, on or after the effective date of this Act. The acquisition of real property in connection with an initial offer made under Chapter 21, Property Code, before the effective date of this Act is governed by the law applicable to the acquisition immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.