

By: Krusee, Gattis, Mercer

H.B. No. 156

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the grant of the power of eminent domain to a regional
3 mobility authority.

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

5 SECTION 1. Section 361.003, Transportation Code, is amended
6 by adding Subsection (m) to read as follows:

7 (m) The governing body of a regional mobility authority has
8 the same powers and duties that the commission and the department
9 have under Subchapter D relating to the condemnation or purchase of
10 real property, except that the governing body of the regional
11 mobility authority may acquire real property by the exercise of the
12 power of condemnation only if the real property is located in a
13 county that is part of the regional mobility authority, or if the
14 real property is not located within a county that is part of the
15 regional mobility authority, the governing body of the regional
16 mobility authority may acquire the real property by the exercise of
17 the power of condemnation only with the approval of the county
18 commissioners court of the county in which the real property is
19 located. Notwithstanding Section 361.135(a), the concurrence of
20 the commission is not a prerequisite to the exercise of the power of
21 condemnation by the governing body of the regional mobility
22 authority.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.