

1-1 By: Krusee, Gattis, Mercer (Senate Sponsor - Ogden) H.B. No. 156  
1-2 (In the Senate - Received from the House April 2, 2003;  
1-3 April 7, 2003, read first time and referred to Committee on  
1-4 Intergovernmental Relations; April 29, 2003, rereferred to  
1-5 Committee on Infrastructure Development and Security; May 6, 2003,  
1-6 reported favorably by the following vote: Yeas 8, Nays 0;  
1-7 May 6, 2003, sent to printer.)

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the grant of the power of eminent domain to a regional  
1-11 mobility authority.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 361.003, Transportation Code, is amended  
1-14 by adding Subsection (m) to read as follows:

1-15 (m) The governing body of a regional mobility authority has  
1-16 the same powers and duties that the commission and the department  
1-17 have under Subchapter D relating to the condemnation or purchase of  
1-18 real property, except that the governing body of the regional  
1-19 mobility authority may acquire real property by the exercise of the  
1-20 power of condemnation only if the real property is located in a  
1-21 county that is part of the regional mobility authority, or if the  
1-22 real property is not located within a county that is part of the  
1-23 regional mobility authority, the governing body of the regional  
1-24 mobility authority may acquire the real property by the exercise of  
1-25 the power of condemnation only with the approval of the county  
1-26 commissioners court of the county in which the real property is  
1-27 located. Notwithstanding Section 361.135(a), the concurrence of  
1-28 the commission is not a prerequisite to the exercise of the power of  
1-29 condemnation by the governing body of the regional mobility  
1-30 authority.

1-31 SECTION 2. This Act takes effect immediately if it receives  
1-32 a vote of two-thirds of all the members elected to each house, as  
1-33 provided by Section 39, Article III, Texas Constitution. If this  
1-34 Act does not receive the vote necessary for immediate effect, this  
1-35 Act takes effect September 1, 2003.

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