

By: Pena

H.B. No. 73

A BILL TO BE ENTITLED

AN ACT

relating to the use of the power of eminent domain by a political subdivision.

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

SECTION 1. Subtitle C, Title 8, Local Government Code, is amended by adding Chapter 274 to read as follows:

CHAPTER 274. CONDEMNATION BY POLITICAL SUBDIVISION FOR ECONOMIC DEVELOPMENT PURPOSES

Sec. 274.001. DEFINITIONS. In this chapter, "blighted area" and "slum area" have the meanings assigned by Section 374.003.

Sec. 274.002. CONDEMNATION FOR ECONOMIC DEVELOPMENT PURPOSES. A political subdivision of this state may not take private property through the use of the power of eminent domain if the primary purpose of the taking is for economic development unless the area being developed is a blighted area or slum area.

SECTION 2. The change in law made by this Act applies only to the taking of property for which a condemnation petition is filed on or after the effective date of this Act. The taking of property for which a condemnation petition is filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives 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 on the 91st day after the last day of the
4 legislative session.