

Amend CSHB 2876 by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_. Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.258 to read as follows:

Sec. 13.258. EMINENT DOMAIN. (a) A water and sewer utility that is operating pursuant to a valid certificate of convenience and necessity may acquire by condemnation any easements or lesser property interests reasonably necessary to comply with federal and state regulations.

(b) The right of eminent domain shall be exercised in the manner provided by Chapter 21, Property Code.

(c) The power of eminent domain may not be used for the condemnation of land for the purpose of acquiring rights to underground water or of water or water rights.

(d) For purposes of this section, in a municipality of 1.7 million or more and its extraterritorial jurisdiction, the power of eminent domain may not be used for the condemnation of land in which the municipality owns a fee, easement or lesser property interest.