

By: Pitts

H.B. No. 2921

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the condemnation of certain property for railroad
3 purposes.

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

5 SECTION 1. Chapter 6, Title 112, Revised Statutes, is
6 amended by adding Article 6336a to read as follows:

7 Art. 6336a. LOCAL REGULATIONS OF RESIDENTIAL PROPERTY. (a)
8 This article applies only to the condemnation of property for a
9 terminal switching railroad handling fewer than 4,000 but more than
10 3,000 carloads a year that operates in a county with a population of
11 130,000 or less that does not contain a portion of a national
12 forest.

13 (b) The power to condemn property given to a railroad
14 company under this title, including Articles 6316a, 6336, and 6351,
15 does not apply to any property used for or designated under local
16 zoning regulations for residential use unless the use of the
17 condemned property is authorized under or in conformity with local
18 zoning or development regulations.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2005.