

By: Pitts

H.B. No. 2921

Substitute the following for H.B. No. 2921:

By: Leibowitz

C.S.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.

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

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