

By: Chavez

H.B. No. 3333

A BILL TO BE ENTITLED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

relating to the sale or transfer of interest of real property to certain federally recognized Indian tribes.

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

SECTION 1. Sections 202.021(b) and (c), Transportation Code, are amended to read as follows:

(b) Except as provided by Subsection (c), real property shall be transferred or sold with the following priorities:

(1) to a governmental entity with the authority to condemn the property; ~~[or]~~

(2) to abutting or adjoining landowners, including a federally recognized Indian tribe whose reservation is located within counties of this state bordering the Republic of Mexico and that is not subject to the federal Indian Gaming Regulatory Act; or

(3) to the general public.

(c) A highway right-of-way shall be transferred or sold with the following priorities:

(1) to a governmental entity with the authority to condemn the property;

(2) to abutting or adjoining landowners; ~~[or]~~

(3) to a federally recognized Indian tribe whose reservation is located within counties of this state bordering the Republic of Mexico and that is not subject to the federal Indian Gaming Regulatory Act; or

1 (4) to the general public.

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