

By: Averitt

S.B. No. 808

A BILL TO BE ENTITLED

AN ACT

relating to the condemnation of certain property for railroad purposes.

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

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

Art. 6336a. LOCAL REGULATIONS OF RESIDENTIAL PROPERTY. The power to condemn property given to a railroad company under this title, including Articles 6316a, 6336, and 6351, does not apply to any property used for or designated under local zoning regulations for residential use unless the use of the condemned property is authorized under or in conformity with local zoning or development regulations.

SECTION 2. This Act takes effect September 1, 2005.