

Amend **HB 2006** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, immediately following added Section 2206.051, Government Code (page 5, between lines 26 and 27), insert the following:

(f) This subsection applies only to an authority created under Chapter 451, Transportation Code, that operates in an area in which the principal municipality has a population of 1.9 million or more. Notwithstanding any other law, an authority to which this subsection applies may not take private property through the use of eminent domain if the taking of the property is related to the construction of a segment of a fixed guideway transit system, including a light rail or bus rapid transit segment, authorized by the voters of the authority and:

(1) the planned route of the segment as approved in the ballot proposition submitted to the voters is changed by the authority after approval of the ballot proposition by the voters;
or

(2) the ballot proposition submitted to the voters did not specifically describe the route of the segment.

(g) If a court in which a condemnation proceeding is initiated under Chapter 21, Property Code, determines that the condemnation proceeding was initiated in violation of Subsection (f), the court shall:

(1) determine that the condemnor does not have the right to condemn;

(2) dismiss the condemnation proceeding; and

(3) order the condemnor to pay all costs of the condemnation proceeding, including all reasonable attorney's fees incurred by the owner.

(2) In SECTION 2 of the bill, immediately following added Section 2206.103, Government Code (page 6, between lines 4 and 5), insert the following:

(f) This subsection applies only to an authority created under Chapter 451, Transportation Code, that operates in an area in which the principal municipality has a population of 1.9 million or more. Notwithstanding any other law, an authority to which this subsection applies may not vote to authorize the initiation of

condemnation proceedings under this section if the proposed condemnation proceedings are related to the construction of a segment of a fixed guideway transit system, including a light rail or bus rapid transit segment, authorized by the voters of the authority and:

(1) the planned route of the segment as approved in the ballot proposition submitted to the voters is changed by the authority after approval of the ballot proposition by the voters;
or

(2) the ballot proposition submitted to the voters did not specifically describe the route of the segment.

(g) If a court in which a condemnation proceeding is initiated under Chapter 21, Property Code, determines that the condemnation proceeding was authorized or initiated in violation of Subsection (f), the court shall:

(1) determine that the condemnor does not have the right to condemn;

(2) dismiss the condemnation proceeding; and

(3) order the condemnor to pay all costs of the condemnation proceeding, including all reasonable attorney's fees incurred by the owner.

(3) In SECTION 17 of the bill, strike Subsection (b) (page 16, lines 35-43) and substitute the following:

(b) Except as provided by this section, the changes in law made by Chapter 2206, Government Code, and Chapter 21, Property Code, as amended by this Act, apply only to a condemnation proceeding in which the petition is filed on or after the effective date of this Act and to any property condemned through the proceeding. A condemnation proceeding in which the petition is filed before the effective date of this Act and any property condemned through the proceeding is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

(c) Section 2206.051, Government Code, as added by this Act, applies to a condemnation proceeding in which the petition is filed on or after the effective date of this Act or a condemnation proceeding pending on the effective date of this Act in which the

petition was filed on or after May 15, 2007.

(d) Section 2206.103, Government Code, as added by this Act, applies to a condemnation proceeding authorized or initiated on or after May 15, 2007.