

AN ACT

relating to the eminent domain authority of Texas Woman's University.

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

SECTION 1. Section 107.45, Education Code, is amended to read as follows:

Sec. 107.45. EMINENT DOMAIN;^[+] RESTRICTION. (a) The board of regents has the power of eminent domain to acquire for the use of the university in the manner prescribed by Chapter 21, Property Code, any real property that may be necessary and proper for carrying out its purposes.

(b) The taking of real property by the board under this section is declared to be for the use of this state. The board is not required to deposit a bond or the amount equal to the award of damages by the commissioners as provided by Section 21.021, Property Code.

(c) The board may not use the power of eminent domain to acquire real property [~~land~~] that is dedicated to a public use by another governmental entity.

SECTION 2. Chapter 127, Acts of the 48th Legislature, Regular Session, 1943 (Article 3264d, Vernon's Texas Civil Statutes), is repealed.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 389 was passed by the House on March 27, 2007, by the following vote: Yeas 138, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 389 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor