

By: Callegari

H.B. No. 389

Substitute the following for H.B. No. 389:

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C.S.H.B. No. 389

A BILL TO BE ENTITLED

AN ACT

1 relating to the eminent domain authority of Texas Woman's
2 University.
3

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

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

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

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

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

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22 Statutes), is repealed.

23 SECTION 3. This Act takes effect immediately if it receives
24 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.