

1-1 By: Callegari, et al. (Senate Sponsor - Estes) H.B. No. 389
1-2 (In the Senate - Received from the House March 28, 2007;
1-3 April 3, 2007, read first time and referred to Committee on State
1-4 Affairs; May 11, 2007, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 11, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eminent domain authority of Texas Woman's
1-9 University.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 107.45, Education Code, is amended to
1-12 read as follows:

1-13 Sec. 107.45. EMINENT DOMAIN;[+] RESTRICTION. (a) The
1-14 board of regents has the power of eminent domain to acquire for the
1-15 use of the university in the manner prescribed by Chapter 21,
1-16 Property Code, any real property that may be necessary and proper
1-17 for carrying out its purposes.

1-18 (b) The taking of real property by the board under this
1-19 section is declared to be for the use of this state. The board is
1-20 not required to deposit a bond or the amount equal to the award of
1-21 damages by the commissioners as provided by Section 21.021,
1-22 Property Code.

1-23 (c) The board may not use the power of eminent domain to
1-24 acquire real property [~~land~~] that is dedicated to a public use by
1-25 another governmental entity.

1-26 SECTION 2. Chapter 127, Acts of the 48th Legislature,
1-27 Regular Session, 1943 (Article 3264d, Vernon's Texas Civil
1-28 Statutes), is repealed.

1-29 SECTION 3. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2007.

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