

By: Murphy

H.B. No. 2268

A BILL TO BE ENTITLED

AN ACT

relating to certain acquisitions of real property by the Texas Department of Transportation for highway purposes.

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

SECTION 1. Subchapter A, Chapter 224, Transportation Code, is amended by adding Section 224.0011 to read as follows:

Sec. 224.0011. ADVANCE ACQUISITION. (a) Notwithstanding any other law, the department may contract to acquire real property for a highway purpose before the location or alignment of the highway has been determined if the department determines that:

(1) it is probable that the property will be necessary for the construction of the highway; and

(2) private development in the area of the property is likely to make the future acquisition of the property more expensive or otherwise more difficult.

(b) This section does not apply to the acquisition of property by eminent domain.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.