

By: Burnam

H.B. No. 1536

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of the power of eminent domain for certain gas corporations when constructing a pipeline for the gathering or transmission of natural gas.

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

SECTION 1. Section 181.004, Utilities Code, is amended to read as follows:

Sec. 181.004. CONDEMNATION OF PROPERTY. (a) A gas or electric corporation has the right and power to enter on, condemn, and appropriate the land, right-of-way, easement, or other property of any person or corporation.

(b) Notwithstanding Subsection (a) or other law, a gas corporation may not condemn or appropriate property for a project related to constructing a gathering or transmission pipeline for transporting gas for a single producer in a county that:

(1) has a population of more than 1.4 million; and

(2) is located wholly or partly above a hydrocarbon-producing geological formation in which during the preceding year the Railroad Commission of Texas issued more than 2,000 drilling permits authorizing gas wells to be completed.

SECTION 2. The change in law made by this Act to Section 181.004, Utilities Code, applies only to a condemnation proceeding filed on or after the effective date of this Act. A condemnation proceeding filed before the effective date of this Act is subject to

1 the law in effect on the date of filing, and that law is continued in  
2 effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2009.