

AN ACT

relating to the lease of certain oil, gas, or mineral land by a municipality.

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

SECTION 1. Section 253.005(b), Local Government Code, is amended to read as follows:

(b) A municipality may ~~not~~ lease under this section a street, alley, or public square in the municipality if the lease prohibits the lessee from using the surface of the land for drilling, production, or other operations. In this subsection, "public square" does not include a dedicated public park.

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, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2333 was passed by the House on April 28, 2009, by the following vote: Yeas 149, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2333 was passed by the Senate on May 20, 2009, by the following vote: Yeas 29, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor