

Amend CSSB 18 (house committee printing) as follows:

(1) In SECTION 20 of the bill (page 23, line 24), between "Government Code," and "Chapter 21,", insert "Sections 111.019 and 111.0192, Natural Resources Code,".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 111.019(b), Natural Resources Code, is amended to read as follows:

(b) In the exercise of the power of eminent domain granted under the provisions of Subsection (a) [~~of this section~~], a common carrier:

(1) may enter on and condemn the land, rights-of-way, easements, and property of any person or corporation necessary for the construction, maintenance, or operation of the common carrier pipeline and only to transport commodities authorized under this chapter; and

(2) may not enter on or condemn the land, rights-of-way, easements, and property of any person or corporation:

(A) only for business administration or management purposes;

(B) to explore for, produce, or process commodities authorized to be transported under this chapter by the common carrier; or

(C) to transport or dispose of oil and gas waste as defined by Section 91.1011.

SECTION _____. Section 111.0192(b), Natural Resources Code, is amended to read as follows:

(b) The right of eminent domain granted under this chapter to any pipeline transporting coal in whatever form shall not include the power to take land or any interest in land, by exercise of the power of eminent domain, for the purpose of drilling for, mining, or producing any oil, gas, geothermal, geothermal/geopressured, lignite, coal, sulphur, uranium, plutonium, or other mineral. Subject to Section 111.019(b), [~~but~~] this provision does not impair the right of any such entity to

acquire title to real property for pipelines, including cooling ponds and related surface installations and equipment.