

By: Guillen

H.B. No. 1449

A BILL TO BE ENTITLED

AN ACT

relating to certain right-of-way easements on land owned by the Parks and Wildlife Department.

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

SECTION 1. Chapter 11, Parks and Wildlife Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. GRANT OR LEASE OF LAND

Sec. 11.301. EASEMENTS. (a) The commission may grant, lease, or renew permanent or temporary right-of-way easements on department land for:

(1) public highways, roads and streets, and ditches;

(2) electric lines and pipelines, including necessary wires, pipes, poles, and other equipment used to transmit, convey, or distribute water, electricity, gas, oil, or similar substances or commodities;

(3) electrical substations; or

(4) the provision of utilities for the operation of facilities of the department and roadways for access to facilities of the department.

(b) Except as provided by this subsection, the commission may not grant or lease an easement unless the commission receives fair and adequate consideration, including goods and services, for the grant or lease. The commission may grant without consideration a state highway easement to the Texas Department of Transportation,

1 a roadway easement to a county for connecting roads between state  
2 highways, easements to utility providers for utilities to serve  
3 department facilities, and roadway easements to a city or county to  
4 provide roadways for department facilities.

5 (c) A grant or lease must contain a full reservation of  
6 minerals in and under the land. The commission may impose other  
7 fair and reasonable conditions, covenants, and provisions.

8 SECTION 2. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2011.