

By: Dutton

H.B. No. 3089

Substitute the following for H.B. No. 3089:

By: Larson

C.S.H.B. No. 3089

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Harris County Fresh Water Supply District No. 48; limiting the district's power of eminent domain.

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

SECTION 1. Subtitle B, Title 6, Special District Local Laws Code, is amended by adding Chapter 6909 to read as follows:

CHAPTER 6909. HARRIS COUNTY FRESH WATER

SUPPLY DISTRICT NO. 48

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6909.001. DEFINITION. In this chapter, "district" means the Harris County Fresh Water Supply District No. 48.

[Sections 6909.002-6909.100 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 6909.101. FRESH WATER SUPPLY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 53, Water Code, applicable to fresh water supply districts created under Section 59, Article XVI, Texas Constitution.

Sec. 6909.102. LIMITATION ON USE OF EMINENT DOMAIN. If the district has assumed road district powers as provided by Section 53.029, Water Code, or other law, the district may not exercise the power of eminent domain outside the district to acquire a site or easement for:

- 1 (1) a road project, unless the site or easement:
2 (A) is owned by a governmental entity; and
3 (B) will be used by the district to construct a
4 road project serving the district; or
5 (2) a recreational facility as defined by Section
6 49.462, Water Code.
7 SECTION 2. This Act takes effect September 1, 2011.