

By: Coleman

H.B. No. 3198

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the exercise of eminent domain authority by certain
3 charitable corporations.

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

5 SECTION 1. Section 1, Chapter 178 (S.B. 289), Acts of the
6 56th Legislature, Regular Session, 1959 (Article 3183b-1, Vernon's
7 Texas Civil Statutes), is amended to read as follows:

8 Sec. 1. Except as provided by this section, and
9 notwithstanding any other law, any [~~Any~~] nonprofit corporation
10 incorporated under the laws of this state for purely charitable
11 purposes and which is directly affiliated or associated with a
12 medical center having a medical school recognized by the Council on
13 Medical Education and Hospitals of the American Medical Association
14 as an integral part of its establishment, and which has for a
15 purpose of its incorporation the provision or support of medical
16 facilities or services for the use and benefit of the public, and
17 which is situated in any county of this state having a population in
18 excess of six hundred thousand (600,000) inhabitants according to
19 the most recent Federal Census shall have the power of eminent
20 domain and condemnation for the purposes set forth in Section 2 and
21 Section 3 of this Act. A charitable corporation described by this
22 section may not exercise the power of eminent domain and
23 condemnation to acquire a detached, single-family residential
24 property or a multifamily residential property that contains eight

1 or fewer dwelling units.

2 SECTION 2. Section 1, Chapter 178 (S.B. 289), Acts of the
3 56th Legislature, Regular Session, 1959 (Article 3183b-1, Vernon's
4 Texas Civil Statutes), as amended by this Act, applies only to a
5 condemnation in which a condemnation petition is filed on or after
6 the effective date of this Act. A condemnation in which a
7 condemnation petition is filed before the effective date of this
8 Act is governed by the law in effect immediately before the
9 effective date of this Act, and that law is continued in effect for
10 that purpose.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2011.