

By: Thompson

H.B. No. 3539

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of certain municipalities to acquire by  
3 eminent domain certain public utilities.

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

5 SECTION 1. Section 552.002, Local Government Code, is  
6 amended by adding Subsection (b-1) to read as follows:

7 (b-1) In addition to the authority provided by Subsection  
8 (b), a municipality with a population of 1.9 million or more may  
9 condemn the property of a public utility, as defined by Section  
10 13.002, Water Code, located in the extraterritorial jurisdiction of  
11 the municipality for the purpose of operating and maintaining the  
12 public utility and providing utility services in the municipality  
13 or the extraterritorial jurisdiction of the municipality.

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