

By: Pitts

H.B. No. 341

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exclusion of certain mineral interests from the
3 property interests that may be condemned by a regional tollway
4 authority.

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

6 SECTION 1. Section 366.165, Transportation Code, is amended
7 by adding Subsection (d) to read as follows:

8 (d) An authority shall, in a statement or petition in
9 condemnation, exclude from the interest to be condemned all the
10 oil, gas, and sulphur that can be removed from beneath the real
11 property. This exclusion shall be made without providing the owner
12 of the oil, gas, or sulphur any right of ingress or egress to or from
13 the surface of the land to explore, develop, drill, or mine the real
14 property.

15 SECTION 2. The change in law made by this Act applies only
16 to a condemnation in which a condemnation petition is filed on or
17 after the effective date of this Act.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2013.