

By: Pitts

H.B. No. 341

A BILL TO BE ENTITLED

AN ACT

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

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

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

7 (d) An authority shall, in a statement or petition in  
8 condemnation, exclude from the interest to be condemned all mineral  
9 interests in and under the real property. This exclusion shall be  
10 made without providing the owner of the mineral interests any right  
11 of ingress or egress to or from the surface of the land to explore,  
12 develop, drill, or mine the real property.

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

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