

1-1 By: Pitts (Senate Sponsor - Nichols) H.B. No. 341  
 1-2 (In the Senate - Received from the House April 22, 2013;  
 1-3 April 25, 2013, read first time and referred to Committee on  
 1-4 Transportation; May 9, 2013, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 9, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 Paxton	X			
1-9 Campbell	X			
1-10 Davis			X	
1-11 Ellis	X			
1-12 Hancock	X			
1-13 Patrick			X	
1-14 Uresti	X			
1-15 Watson	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the exclusion of certain mineral interests from the  
 1-20 property interests that may be condemned by a regional tollway  
 1-21 authority.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 366.165, Transportation Code, is amended  
 1-24 by adding Subsection (d) to read as follows:

1-25 (d) An authority shall, in a statement or petition in  
 1-26 condemnation, exclude from the interest to be condemned all the  
 1-27 oil, gas, and sulphur that can be removed from beneath the real  
 1-28 property. This exclusion shall be made without providing the owner  
 1-29 of the oil, gas, or sulphur any right of ingress or egress to or from  
 1-30 the surface of the land to explore, develop, drill, or mine the real  
 1-31 property.

1-32 SECTION 2. The change in law made by this Act applies only  
 1-33 to a condemnation in which a condemnation petition is filed on or  
 1-34 after the effective date of this Act.

1-35 SECTION 3. This Act takes effect immediately if it receives  
 1-36 a vote of two-thirds of all the members elected to each house, as  
 1-37 provided by Section 39, Article III, Texas Constitution. If this  
 1-38 Act does not receive the vote necessary for immediate effect, this  
 1-39 Act takes effect September 1, 2013.

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