

By: Birdwell

S.B. No. 655

A BILL TO BE ENTITLED

AN ACT

relating to the exercise of the power of eminent domain by certain authorized entities.

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

SECTION 1. Chapter 1, Special District Local Laws Code, is amended by adding Section 1.004 to read as follows:

Sec. 1.004. LIMITATION ON EXERCISE OF EMINENT DOMAIN POWER.

An entity governed by Title 6 and authorized by law to exercise the power of eminent domain may only exercise the power for a public use in accordance with Section 17, Article I, Texas Constitution.

SECTION 2. Chapter 1, Water Code, is amended by adding Section 1.005 to read as follows:

Sec. 1.005. LIMITATION ON EXERCISE OF EMINENT DOMAIN POWER.

An entity governed by this code and authorized by law to exercise the power of eminent domain may only exercise the power for a public use in accordance with Section 17, Article I, Texas Constitution.

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