

BILL ANALYSIS

S.B. 444
By: Hall
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that previously enacted legislation repealed a law granting private toll road entities the power of eminent domain. However, the parties explain that a grandfather provision in the law authorized a private toll road corporation that was formed before a certain date to retain its existing powers, including that eminent domain power. S.B. 444 seeks to address this issue and prohibit certain corporations from exercising that power.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 444 amends the Transportation Code to prohibit a corporation that has the powers, rights, and privileges of a corporation under previous law from exercising the power of eminent domain granted under that previous law but to exempt from this prohibition a corporation in existence on August 31, 1991, that was created by the state or one or more counties or municipalities to implement a transportation project in a county with a population of 500,000 or more or a county adjacent to a county with such a population.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.