

By: Metcalf

H.B. No. 1889

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authorization of the construction of an electric  
3 railway on or across a street, alley, square, or property of a  
4 county or municipality.

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

6 SECTION 1. Section [131.011](#), Transportation Code, is amended  
7 to read as follows:

8 Sec. 131.011. DEFINITION. In this subchapter, "interurban  
9 electric railway company" means a corporation chartered under the  
10 laws of this state to conduct and operate an electric railway,  
11 including a railway operated by overhead catenary wires that is  
12 capable of operating at speeds greater than 100 miles per hour,  
13 between two municipalities in this state.

14 SECTION 2. Section [131.014](#)(d), Transportation Code, is  
15 amended to read as follows:

16 (d) A corporation described by Section [131.012](#) may not  
17 construct [~~This section does not authorize the construction of~~] an  
18 electric railway on or across a street, alley, square, or property  
19 of a county or municipality unless the construction is approved by  
20 the governing body of the county or municipality, as applicable  
21 [~~without the consent of the governing body of the municipality~~].

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section [39](#), Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2015.