

By: Wray

H.B. No. 3915

A BILL TO BE ENTITLED

AN ACT

relating to the assessment of damages in condemnation proceedings regarding high speed rail companies.

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

SECTION 1. Section 21.042, Property Code, is amended by adding subsection (h) to read as follows:

(h) For the purposes of this Chapter, a "high speed rail company" means an entity chartered to create, fund, develop or operate a high-speed rail system that is capable of operating at speeds greater than 100 miles per hour. In awarding compensation or damages for a condemnation by a high speed rail company":

(1) Subsection (d) does not apply; and

(2) the special commissioners must award damages for any denial or impairment of access to the remainder property. The commissioners shall also award damages for the remainder of any property acquired at an amount no less than fifty (50) percent of the value of the whole property before the taking.

SECTION 2. 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, 2015.