

By: Zaffirini

S.B. No. 1859

A BILL TO BE ENTITLED

AN ACT

relating to the restoration of expired eminent domain authority of certain rural rail transportation districts.

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

SECTION 1. Subchapter D, Chapter 172, Transportation Code, is amended by adding Section 172.1571 to read as follows:

Sec. 172.1571. RESTORATION OF CERTAIN EXPIRED EMINENT DOMAIN AUTHORITY. (a) This section applies only to a district:

(1) whose authority to exercise the power of eminent domain under Section 172.157 expired under Section 2206.101(c), Government Code; and

(2) that is located in a county:

(A) bordering the Gulf of Mexico; and

(B) adjacent to a county in which there is located a port authority that has the authority to issue a permit for the movement of oversize or overweight vehicles under Subchapter O or P, Chapter 623.

(b) Notwithstanding the expiration of the district's authority as described by Subsection (a), the district, on and after September 1, 2015, may exercise the power of eminent domain in accordance with Section 172.157.

SECTION 2. As provided by Section 17(c), Article I, Texas Constitution, this Act takes effect only on a two-thirds vote of all the members elected to each house.

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1           SECTION 3.   This Act takes effect September 1, 2015.