

**House Bill 565**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 362.102, Transportation Code, is amended to read as follows:

Sec. 362.102. COMMISSION APPROVAL OF PRIVATE TURNPIKE OR TOLL PROJECT REQUIRED. Notwithstanding any other provision of law, a private entity may not construct a privately owned turnpike or toll project that connects to a road, bridge, or highway in the state highway system unless the commission approves the private turnpike or toll project as provided by this subchapter. Before the commission may approve a private turnpike or toll project, the commission must hold a public meeting concerning the project in the region in which the project will be located.

SECTION 2. Subchapter C, Chapter 362, Transportation Code, is amended by adding Section 362.105 to read as follows:

Sec. 362.105. USE OF EMINENT DOMAIN BY TOLL ROAD CORPORATION. Notwithstanding Section 30, Chapter 766 (H.B. 749), Acts of the 72nd Legislature, Regular Session, 1991, a corporation that has the powers, rights, and privileges of a corporation created under former Chapter 11, Title 32, Revised Statutes, as that law existed on August 31, 1991, other than a corporation to which Section 431.073(c) applies, may not exercise the power of eminent domain granted under that former law.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Subchapter C, Chapter 362, Transportation Code, is amended by adding Sections 362.105 and 362.106 to read as follows: [FA1(1)]

Sec. 362.105. USE OF EMINENT DOMAIN BY TOLL ROAD CORPORATION. Notwithstanding Section 30, Chapter 766 (H.B. 749), Acts of the 72nd Legislature, Regular Session, 1991, a corporation that has the powers, rights, and privileges of a corporation created under former Chapter 11, Title 32, Revised Statutes, as that law existed on August 31, 1991, other than a corporation to which Section 431.073(c) applies, may not exercise the power of eminent domain granted under that former law.

Sec. 362.106. AGREEMENT WITH TOLL PROJECT ENTITY. (a) In this section, "toll project entity" has the meaning assigned by Section 372.001. (b) A private toll project entity may enter into an agreement with a public toll project entity to finance, construct, maintain,

CONFERENCE

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SECTION 3. Section 362.102, Transportation Code, as amended by this Act, does not affect a turnpike or toll project approved by the Texas Transportation Commission before the effective date of this Act.

SECTION 4. 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.

SENATE VERSION (IE)

or operate a toll road. [FA1(2)]

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE