By:  Harless, et al. (Senate Sponsor - Alvarado) H.B. No. 3782

(In the Senate - Received from the House May 7, 2019; May 10, 2019, read first time and referred to Committee on Water & Rural Affairs; May 19, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 7, Nays 0; May 19, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Perry           X

Creighton       X

Alvarado        X

Johnson         X

Kolkhorst       X

Rodríguez       X

Taylor          X

COMMITTEE SUBSTITUTE FOR H.B. No. 3782 By:  Creighton

A BILL TO BE ENTITLED

AN ACT

relating to the right to remove property encroaching on areas owned or controlled by the Harris County Flood Control District.

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

SECTION 1.  Chapter 360, Acts of the 45th Legislature, Regular Session, 1937, is amended by adding Section 2A to read as follows:

Sec. 2A.  Right to Remove Property. (a) In this section, "district" means the Harris County Flood Control District.

(b)  In order to carry out district purposes, the district may remove real or personal property placed on land owned by the district or land subject to an easement held by the district, regardless of when the real or personal property was put in place and without the consent of the owner of the property. The district must send notice by certified mail to the owner of property on which the district intends to act under this section. Not earlier than the 30th day after the date the notice is sent, the district must send a second notice by certified mail. The district may use existing civil lawsuit processes against the owner of the property to recover the cost of removing the property not earlier than the 30th day after the date the second notice was received.

SECTION 2.  This Act takes effect September 1, 2019.

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