

By: Harless, Davis of Harris, Murphy,  
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H.B. No. 3782

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 14th 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  
seventh day after the date the second notice was received.

(c) In a suit brought by a property owner regarding the  
removal of property under this section, a court may deny a request  
for temporary injunctive relief against the district and may issue

1 injunctive relief allowing the district to remove the property if  
2 the district shows a substantial likelihood of success on the  
3 merits.

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