

By: Harless

H.B. No. 3782

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the right to remove property encroaching on areas owned  
3 or controlled by the Harris County Flood Control District.

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

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

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

10 (b) In order to carry out district purposes, the district  
11 may remove real or personal property placed on land owned by the  
12 district or land subject to an easement held by the district,  
13 regardless of when the real or personal property was put in place  
14 and without the consent of the owner of the property. The district  
15 may bring a cause of action against the owner of the property to  
16 recover the cost of removing the property.

17 (c) In a suit brought by a property owner regarding the  
18 removal of property under this section, a court may deny a request  
19 for temporary injunctive relief against the district and may issue  
20 injunctive relief allowing the district to remove the property if  
21 the district shows a substantial likelihood of success on the  
22 merits.

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