87R16695 SLB-D

By:  Martinez H.B. No. 2094

Substitute the following for H.B. No. 2094:

By:  Lucio III C.S.H.B. No. 2094

A BILL TO BE ENTITLED

AN ACT

relating to the right to remove property encroaching on areas owned or controlled by the Hidalgo County Drainage District Number 1.

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

SECTION 1.  (a) In this section, "telecommunications provider" has the meaning assigned by Section 51.002, Utilities Code.

(b)  This section does not apply to property owned by a telecommunications provider.

(c)  In order to carry out district purposes, the Hidalgo County Drainage District Number 1 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, 2021.