

1-1 By: Burkett, et al. (Senate Sponsor - Kolkhorst) H.B. No. 565
 1-2 (In the Senate - Received from the House May 5, 2015;
 1-3 May 7, 2015, read first time and referred to Committee on
 1-4 Transportation; May 21, 2015, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to powers of private toll project entities.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 362.102, Transportation Code, is amended
 1-22 to read as follows:

1-23 Sec. 362.102. COMMISSION APPROVAL OF PRIVATE TURNPIKE OR
 1-24 TOLL PROJECT REQUIRED. Notwithstanding any other provision of law,
 1-25 a private entity may not construct a privately owned turnpike or
 1-26 toll project that connects to a road, bridge, or highway in the
 1-27 state highway system unless the commission approves the private
 1-28 turnpike or toll project as provided by this subchapter. Before the
 1-29 commission may approve a private turnpike or toll project, the
 1-30 commission must hold a public meeting concerning the project in the
 1-31 region in which the project will be located.

1-32 SECTION 2. Subchapter C, Chapter 362, Transportation Code,
 1-33 is amended by adding Section 362.105 to read as follows:

1-34 Sec. 362.105. USE OF EMINENT DOMAIN BY TOLL ROAD
 1-35 CORPORATION. Notwithstanding Section 30, Chapter 766 (H.B. 749),
 1-36 Acts of the 72nd Legislature, Regular Session, 1991, a corporation
 1-37 that has the powers, rights, and privileges of a corporation
 1-38 created under former Chapter 11, Title 32, Revised Statutes, as
 1-39 that law existed on August 31, 1991, other than a corporation to
 1-40 which Section 431.073(c) applies, may not exercise the power of
 1-41 eminent domain granted under that former law.

1-42 SECTION 3. Section 362.102, Transportation Code, as amended
 1-43 by this Act, does not affect a turnpike or toll project approved by
 1-44 the Texas Transportation Commission before the effective date of
 1-45 this Act.

1-46 SECTION 4. This Act takes effect immediately if it receives
 1-47 a vote of two-thirds of all the members elected to each house, as
 1-48 provided by Section 39, Article III, Texas Constitution. If this
 1-49 Act does not receive the vote necessary for immediate effect, this
 1-50 Act takes effect September 1, 2015.

1-51 * * * * *