

By: Krusee, Gattis, Mercer

H.B. No. 156

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the grant of the power of eminent domain to a regional  
3 mobility authority.

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

5 SECTION 1. Section 361.003, Transportation Code, is amended  
6 by adding Subsection (m) to read as follows:

7 (m) The governing body of a regional mobility authority has  
8 the same powers and duties that the commission and the department  
9 have under Subchapter D relating to the condemnation or purchase of  
10 real property, except that the governing body of the regional  
11 mobility authority may acquire real property by the exercise of the  
12 power of condemnation only if the real property is located in a  
13 county that is part of the regional mobility authority, or if the  
14 real property is not located within a county that is part of the  
15 regional mobility authority, the governing body of the regional  
16 mobility authority may acquire the real property by the exercise of  
17 the power of condemnation only with the approval of the county  
18 commissioners court of the county in which the real property is  
19 located. Notwithstanding Section 361.135(a), the concurrence of  
20 the commission is not a prerequisite to the exercise of the power of  
21 condemnation by the governing body of the regional mobility  
22 authority.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2003.