

By: Krusee, Gattis, Mercer (Senate Sponsor - Ogden) H.B. No. 156  
(In the Senate - Received from the House April 2, 2003;  
April 7, 2003, read first time and referred to Committee on  
Intergovernmental Relations; April 29, 2003, rereferred to  
Committee on Infrastructure Development and Security; May 6, 2003,  
reported favorably by the following vote: Yeas 8, Nays 0;  
May 6, 2003, sent to printer.)

A BILL TO BE ENTITLED  
AN ACT

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

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

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

(m) The governing body of a regional mobility authority has the same powers and duties that the commission and the department have under Subchapter D relating to the condemnation or purchase of real property, except that the governing body of the regional mobility authority may acquire real property by the exercise of the power of condemnation only if the real property is located in a county that is part of the regional mobility authority, or if the real property is not located within a county that is part of the regional mobility authority, the governing body of the regional mobility authority may acquire the real property by the exercise of the power of condemnation only with the approval of the county commissioners court of the county in which the real property is located. Notwithstanding Section 361.135(a), the concurrence of the commission is not a prerequisite to the exercise of the power of condemnation by the governing body of the regional mobility authority.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

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