

BILL ANALYSIS

Senate Research Center

H.B. 156
By: Krusee (Ogden)
Infrastructure Development and Security
5/1/2003
Engrossed

DIGEST AND PURPOSE

Currently, regional mobility authorities do not have the statutory authority to acquire property. H.B. 156 gives a regional mobility authority the ability to acquire real property, by purchase or condemnation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 361.003, Transportation Code, by adding Subsection (m), as follows:

(m) Provides that the governing body of a regional mobility authority has the same powers and duties that the Texas Transportation Commission (TTC) and the Texas Department of Transportation have under Subchapter D relating to the condemnation or purchase of real property, except that the governing body of the regional mobility authority is authorized to 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 is authorized to acquire the 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. Provides that, notwithstanding Section 361.135(a), the concurrence of TTC is not a prerequisite to the exercise of the power of condemnation by the governing body of the regional mobility authority.

SECTION 2. Effective date: upon passage or September 1, 2003.