

BILL ANALYSIS

Senate Research Center
79R2900 MTB-F

S.B. 808
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Transportation & Homeland Security
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, if a railroad company and the owner of property cannot reach an agreement in a real estate transaction involving the building, operation, or running of the railroad, the railroad has the authority to condemn the disputed property in order to progress with various goals.

As proposed, S.B. 808 exempts residentially zoned property from the condemnation power granted to railroad companies unless the condemned property's use conforms to the city zoning restrictions.

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 Chapter 6, Title 112, Revised Statutes, by adding Article 6336a, as follows:

Art. 6336a. LOCAL REGULATIONS OF RESIDENTIAL PROPERTY. Provides that the power to condemn property given to a railroad company under this title, including Articles 6316a (Right to Construct Spur Tracks), 6336 (When Corporation and Owner Disagree), and 6351 (Eminent Domain), does not apply to any property used for or designated under local zoning regulations for residential use unless the use of the condemned property is authorized under or in conformity with local zoning or development regulations.

SECTION 2. Effective date: September 1, 2005.