

By: Wray

H.B. No. 2161

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to clarification of the law regarding the authority of a  
3 high-speed rail company to exercise the power of eminent domain.

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

5 SECTION 1. Subchapter B, Chapter 112, Transportation Code,  
6 is amended by adding Section 112.0531 to read as follows:

7 Sec. 112.0531. USE OF EMINENT DOMAIN BY CERTAIN HIGH-SPEED  
8 RAIL COMPANIES. For the purposes of Section 112.053 and any other  
9 grant of authority to exercise the power of eminent domain to a  
10 railroad company, a high-speed rail company proposing to operate  
11 rail service capable of speeds greater than 120 miles per hour is  
12 not considered a railroad company.

13 SECTION 2. The change in law made by this Act is intended  
14 only to clarify existing law with respect to the authority of a  
15 high-speed rail company to exercise the power of eminent domain.

16 SECTION 3. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2017.