

BILL ANALYSIS

Senate Research Center

S.B. 927
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State Affairs
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As Filed

DIGEST

Currently, the Transportation Code grants the Texas Department of Transportation (department) the authority to acquire certain real property the Transportation Commission (commission) deems necessary or convenient for construction of any state highway. In some cases, remainders of land are limited to the extent they can be used by the landowner, resulting in damage payments to the landowner by the department. This bill provides the commission the authority to acquire entire tracts of land, rather than only that portion needed for highway purposes.

PURPOSE

As proposed, S.B. 927 authorizes the Transportation Commission to acquire entire tracts of land, rather than only that portion needed for highway purposes.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 203D, Transportation Code, by adding Section 203.0521, as follows:

Sec. 203.0521. ACQUISITION OF REMAINDER. Requires the Texas Transportation Commission (commission) to offer to purchase the remainder of a tract of real property if a proposed acquisition of a tract under Section 203.052 would leave the owner a remainder of the tract, if the commission makes certain determinations. Authorizes the Texas Department of Transportation (department) to acquire the remainder of the tract only if the owner of the property consents to the acquisition of the remainder of the tract. Provides that the department is not required to make an offer on a remainder of a tract if an appraisal or environmental investigation indicates the presence of hazardous materials or substances. Authorizes the department and its designated agents to enter a remainder to conduct an appraisal, survey, or environmental investigation to determine whether the department will offer to acquire the remainder.

SECTION 2. Emergency clause.
Effective date: upon passage.