

## **BILL ANALYSIS**

Senate Research Center

H.B. 2921  
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Transportation & Homeland Security  
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Engrossed

### **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.

H.B. 2921 exempts residential zoned property from the condemnation power granted to railroad companies unless the condemned property's use conforms to the city zoning restrictions. H.B. 2921 only applies to a terminal switching railroad handling fewer than 4,000 but more than 3,000 carloads in a year that operates in a county with a population of 130,000 or less that does not contain a portion of a national forest.

### **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 this article only applies to the condemnation of property for a terminal switching railroad handling fewer than 4,000 but more than 3,000 carloads a year that operates in a county with a population of 130,000 or less that does not contain a portion of a national forest. Provides that the power to condemn property given to a railroad company under this title, including Articles 6316a, 6336, and 6351, does not apply to certain property unless specific circumstances exist.

SECTION 2. Effective date: upon passage or September 1, 2005.