

CHAPTER 130

S.B. No. 644

An Act relating to preservation of the view of the State Capitol and to a private right of action for injunctive relief for a violation and to the effect of local ordinances of cities affected by this Act; amending Chapter 50, Acts of the 68th Legislature, Regular Session, 1983 (Article 6145-13, Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 50, Acts of the 68th Legislature, Regular Session, 1983 (Article 6145-13, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. **DEFINITIONS** [~~DEFINITION~~]. In this Act: [;]

"(1) 'Texas Plane Coordinate' means the Central Zone of the Texas State Coordinate Systems as defined by the U.S. Coast and Geodetic Survey, dated 1945 and revised in March, 1978.

“(2) ‘Capitol [~~capitol~~] dome’ means the part of the State Capitol located more than 653 feet above sea level at Texas Plane Coordinate X-2818555.07, Y-230595.65, being the center of the dome.

“(3) ‘Person’ includes an individual, an organization, a business entity, or a governmental entity.

“(4) ‘Capitol view corridors’ mean and include:

“(A) The South Mall of the University of Texas Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 594 feet above sea level at Texas Plane Coordinate X-2818794.86, Y-234376.98, and extends along a bearing of S 2 7 0.0 W for a distance of 3790.248 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818654.87, Y-230589.32; and

“(ii) the second of which begins at an elevation of 594 feet above sea level at Texas Plane Coordinate X-2818628.71, Y-234341.64, and extends along a bearing of S 2 39 17.7 W for a distance of 3748.053 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818455.09, Y-230597.61.

“(B) The Waterloo Park Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 496 feet above sea level at Texas Plane Coordinate X-2820189.70, Y-230799.91, and extends along a bearing of S 86 21 3.1 W for a distance of 1650.373 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818542.67, Y-230694.87; and

“(ii) the second of which begins at an elevation of 480 feet above sea level at Texas Plane Coordinate X-2820300.13, Y-229756.25, and extends along a bearing of N 67 16 4.1 W for a distance of 1939.019 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818511.73, Y-230505.53.

“(C) The Wooldridge Park Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 515 feet above sea level at Texas Plane Coordinate X-2816727.54, Y-229659.96, and extends along a bearing of N 60 5 58.0 E for a distance of 2055.569 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818509.50, Y-230684.66; and

“(ii) the second of which begins at an elevation of 536 feet above sea level at Texas Plane Coordinate X-2816925.57, Y-229291.91, and extends along a bearing of N 54 4 50.4 E for a distance of 2089.263 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818617.55, Y-230517.56.

“(D) The French Legation Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 539 feet above sea level at Texas Plane Coordinate X-2821177.01, Y-227894.81, and extends along a bearing of N 42 37 44.3 W for a distance of 3765.605 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818626.83, Y-230665.30; and

“(ii) the second of which begins at an elevation of 539 feet above sea level at Texas Plane Coordinate X-2821144.99, Y-227833.18, and extends along a bearing of N 44 39 68.5 W for a distance of 3787.992 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818482.12, Y-230527.25.

“(E) The Lamar Bridge Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 460 feet above sea level at Texas Plane Coordinate X-2813589.52, Y-227457.92, and extends along a bearing of N 56 44 9.5 E for a distance of 5874.699 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818596.90, Y-230686.48; and

“(ii) the second of which begins at an elevation of 460 feet above sea level at Texas Plane Coordinate X-2813419.55, Y-226934.03, and extends along a bearing of N 55 25 10.4 E for a distance of 6308.017 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818613.13, Y-230514.22.

“(F) The South Congress at East Live Oak Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 574 feet above sea level at Texas Plane Coordinate X-2814945.42, Y-218622.48, and extends along a bearing of N 16 19 7.6 E for a distance of 12505.861 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818459.33, Y-230624.51; and

“(ii) the second of which begins at an elevation of 574 feet above sea level at Texas Plane Coordinate X-2815051.19, Y-218649.13, and extends along a bearing of N 16 48 23.4 E for a distance of 12450.162 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818651.03, Y-230567.50.

“(G) The Mopac Bridge Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 498 feet above sea level at Texas Plane Coordinate X-2808292.26, Y-229412.05, and extends along a bearing of N 83 58 33.0 E for a distance of 10331.327 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818566.53, Y-230496.30; and

“(ii) the second of which begins at an elevation of 485 feet above sea level at Texas Plane Coordinate X-2808930.31, Y-230333.64, and extends along a bearing of N 87 50 44.3 E for a distance of 9628.852 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818552.35, Y-230695.61.

“(H) The South Lamar at La Casa Drive Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 656 feet above sea level at Texas Plane Coordinate X-2806422.18, Y-219725.23, and extends along a bearing of N 47 47 22.8 E for a distance of 16290.678 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818488.35, Y-230670.13; and

“(ii) the second of which begins at an elevation of 656 feet above sea level at Texas Plane Coordinate X-2806443.28, Y-219708.55, and extends along a bearing of N 48 24 0.0 E for a distance of 16286.017 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818621.93, Y-230521.28.

“(I) The Barton Creek Pedestrian Bridge Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 445 feet above sea level at Texas Plane Coordinate X-2811033.87, Y-227139.69, and extends along a bearing of N 64 37 45.5 E for a distance of 8277.813 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818513.32, Y-230686.51; and

“(ii) the second of which begins at an elevation of 460 feet above sea level at Texas Plane Coordinate X-2812177.38, Y-227545.58, and extends along a bearing of N 65 15 5.2 E for a distance of 7070.209 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818598.22, Y-230505.43.

“(J) The Pleasant Valley Road at Lakeshore Drive Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 450 feet above sea level at Texas Plane Coordinate X-2826332.31, Y-219396.73, and extends along a bearing of N 34 21 30.0 W for a distance of 13634.929 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818637.21, Y-230652.69; and

“(ii) the second of which begins at an elevation of 450 feet above sea level at Texas Plane Coordinate X-2826129.04, Y-218986.86, and extends along a bearing of N 33 32 6.6 W for a distance of 13861.422 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818471.32, Y-230541.00.

“(K) The East Eleventh Street Threshold Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 517 feet above sea level at Texas Plane Coordinate X-2821382.21, Y-228956.12, and extends along a bearing of N 61 38 31.4 W for a distance of 3269.672 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818504.91, Y-230509.14; and

“(ii) the second of which begins at an elevation of 517 feet above sea level at Texas Plane Coordinate X-2821418.78, Y-228980.65, and extends along a bearing of N 58 60 12.7 W for a distance of 3289.227 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818604.20, Y-230682.75.

“(L) The North-Bound Lanes of Interstate Highway 35 Between the Municipal Police and Courts Building and West Tenth Street Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 501 feet above sea level at Texas Plane Coordinate X-2820624.99, Y-227858.68, and extends along a bearing of N 38 46 6.5 W for a distance of 3433.34 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818475.11, Y-230535.59; and

“(ii) the second of which begins at an elevation of 491 feet above sea level at Texas Plane Coordinate X-2820883.74, Y-228742.33, and extends along a bearing of N 49 33 37.2 W for a distance of 2977.840 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818617.34, Y-230673.89.

“(M) The South-Bound Lanes of the Upper Deck of Interstate Highway 35 Between Concordia College and the Martin Luther King Boulevard Overpass Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 648 feet above sea level at Texas Plane Coordinate X-2822432.77, Y-233117.96, and extends along a bearing of S 55 43 8.2 W for a distance of 4627.079 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818609.48, Y-230511.74; and

“(ii) the second of which begins at an elevation of 618 feet above sea level at Texas Plane Coordinate X-2823639.09, Y-235471.26, and extends along a bearing of S 47 0 43.0 W for a distance of 7045.415 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818485.40, Y-230667.38.

“(N) The North-Bound Lanes of Interstate Highway 35 Between Waller Creek Plaza and the Municipal Police and Court Building Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 498 feet above sea level at Texas Plane Coordinate X-2820389.72, Y-226977.21, and extends along a bearing of N 28 17 53.1 W for a distance of 4058.419 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818465.79, Y-230550.62; and

“(ii) the second of which begins at an elevation of 498 feet above sea level at Texas Plane Coordinate X-2820450.80, Y-227277.98, and extends along a bearing of N 28 14 42.1 W for a distance of 3823.132 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818641.53, Y-230645.90.

“(O) The North-Bound Lanes of Interstate Highway 35 Between Third Street and the Waller Creek Plaza Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 482 feet above sea level at Texas Plane Coordinate X-2820010.77, Y-225710.94, and extends along a bearing of N 17 43 6.5 W for a distance of 5098.378 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818459.13, Y-230567.46; and

“(ii) the second of which begins at an elevation of 495 feet above sea level at Texas Plane Coordinate X-2820205.46, Y-226432.65, and extends along a bearing of N 20 20 46.9 W for a distance of 4479.853 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818647.84, Y-230632.99.

“(P) The East Seventh Street Bridge Over the Texas-New Orleans Railroad Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 476 feet above sea level at Texas Plane Coordinate X-2829646.58, Y-224957.77, and extends along a bearing of N 62 35 42.1 W for a distance of 12442.553 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818600.39, Y-230684.79; and

“(ii) the second of which begins at an elevation of 476 feet above sea level at Texas Plane Coordinate X-2829633.60, Y-224932.05, and extends along a bearing of N 63 23 0.0 W for a distance of 12442.674 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818509.56, Y-230506.61.

“(Q) The Longhorn Shores Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 435 feet above sea level at Texas Plane Coordinate X-2823252.67, Y-220131.43, and extends along a bearing of N 23 40 36.4 W for a distance of 11470.713 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818646.30, Y-230636.60; and

“(ii) the second of which begins at an elevation of 435 feet above sea level at Texas Plane Coordinate X-2822788.44, Y-220147.97, and extends along a bearing of N 22 33 57.2 W for a distance of 11273.211 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818462.39, Y-230558.09.

“(R) The Zilker Clubhouse Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 561 feet above sea level at Texas Plane Coordinate X-2807259.05, Y-230056.68, and extends along a bearing of N 86 45 42.0 E for a distance of 11309.321 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818550.31, Y-230695.53; and

“(ii) the second of which begins at an elevation of 561 feet above sea level at Texas Plane Coordinate X-2807248.18, Y-229969.74, and extends along a bearing of N 87 20 15.0 E for a distance of 11324.650 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818560.60, Y-230495.80.

“(S) The Red Bud Trail Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 684 feet above sea level at Texas Plane Coordinate X-2801662.96, Y-236155.75, and extends along a bearing of S 72 6 10.9 E for a distance of 17783.936 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818586.34, Y-230690.63; and

“(ii) the second of which begins at an elevation of 684 feet above sea level at Texas Plane Coordinate X-2801887.25, Y-236038.78, and extends along a bearing of S 71 35 16.8 E for a distance of 17534.371 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818524.03, Y-230500.59.

“(T) The Enfield Road Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 534 feet above sea level at Texas Plane Coordinate X-2814317.00, Y-232540.28, and extends along a bearing of S 64 7 24.8 E for a distance of 4664.000 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818513.37, Y-230504.76; and

“(ii) the second of which begins at an elevation of 534 feet above sea level at Texas Plane Coordinate X-2814166.24, Y-232616.36, and extends along a bearing of S 66 27 47.8 E for a distance of 4832.718 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818596.90, Y-230686.48.

“(U) The Capital of Texas Highway Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 850 feet above sea level at Texas Plane Coordinate X-2793153.22, Y-246055.75, and extends along a bearing of S 58 62 1.6 E for a distance of 29736.832 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818607.06, Y-230681.07; and

“(ii) the second of which begins at an elevation of 850 feet above sea level at Texas Plane Coordinate X-2792663.44, Y-245928.13, and extends along a bearing of S 59 10 35.3 E for a distance of 30091.057 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818504.12, Y-230509.60.

“(V) The 38th Street at Red River Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 609 feet above sea level at Texas Plane Coordinate X-2823695.84, Y-238333.37, and extends along a bearing of S 34 12 57.2 W for a distance of 9290.302 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818471.78, Y-230650.98; and

“(ii) the second of which begins at an elevation of 609 feet above sea level at Texas Plane Coordinate X-2823785.05, Y-238418.94, and extends along a bearing of S 33 9 15.9 W for a distance of 9410.983 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818638.21, Y-230540.07.

“(W) The Robert Mueller Airport Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 603 feet above sea level at Texas Plane Coordinate X-2831475.74, Y-237087.29, and extends along a bearing of S 62 55 39.9 W for a distance of 14460.117 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818599.97, Y-230506.29; and

“(ii) the second of which begins at an elevation of 603 feet above sea level at Texas Plane Coordinate X-2831203.80, Y-237067.65, and extends along a bearing of S 63 18 20.5 W for a distance of 14208.702 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818509.52, Y-230684.67.

“(X) The Martin Luther King Boulevard at IH-35 Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 570 feet above sea level at Texas Plane Coordinate X-2821823.12, Y-232059.98, and extends along a bearing of S 64 15 51.7 W for a distance of 3582.510 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818595.97, Y-230504.39; and

“(ii) the second of which begins at an elevation of 570 feet above sea level at Texas Plane Coordinate X-2821665.89, Y-232039.68, and extends along a bearing of S 66 46 10.3 W for a distance of 3431.091 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818512.97, Y-230686.35.

“(Y) The Oakwood Cemetery Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 662 feet above sea level at Texas Plane Coordinate X-2823518.05, Y-231483.66, and extends along a bearing of S 78 43 9.6 W for a distance of 5042.788 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818572.69, Y-230497.21; and

“(ii) the second of which begins at an elevation of 662 feet above sea level at Texas Plane Coordinate X-2823496.42, Y-231576.82, and extends along a bearing of S 79 54 22.8 W for a distance of 5038.813 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818535.60, Y-230693.73.

“(Z) The East 12th Street at IH-35 Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 525 feet above sea level at Texas Plane Coordinate X-2821503.64, Y-229689.85, and extends along a bearing of N 74 46 47.6 W for a distance of 3086.184 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818525.71, Y-230500.05; and

“(ii) the second of which begins at an elevation of 523 feet above sea level at Texas Plane Coordinate X-2821304.47, Y-229769.21, and extends along a bearing of N 71 16 29.8 W for a distance of 2872.654 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818583.86, Y-230691.41.

“(AA) The Lyndon Baines Johnson Library Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 596 feet above sea level at Texas Plane Coordinate X-2821830.47, Y-234589.86, and extends along a bearing of S 40 20 57.3 W for a distance of 5162.945 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818477.75, Y-230659.06; and

“(ii) the second of which begins at an elevation of 596 feet above sea level at Texas Plane Coordinate X-2821938.69, Y-233990.42, and extends along a bearing of S 43 38 37.1 W for a distance of 4790.234 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818625.90, Y-230525.05.

“(BB) The North Congress Avenue at Martin Luther King Boulevard Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 531 feet above sea level at Texas Plane Coordinate X-2819238.03, Y-232793.53, and extends along a bearing of N 14 46 25.5 E for a distance of 2303.720 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818650.57, Y-230565.97; and

“(ii) the second of which begins at an elevation of 531 feet above sea level at Texas Plane Coordinate X-2819171.57, Y-232814.96, and extends along a bearing of N 16 0 38.0 E for a distance of 2305.521 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818458.72, Y-230622.41.

“(CC) The Field Level of the Memorial Stadium Practice Center Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 550 feet above sea level at Texas Plane Coordinate X-2820995.40, Y-233291.51, and extends along a bearing of N 40 34 35.4 E for a distance of 3637.696 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818629.21, Y-230528.54; and

“(ii) the second of which begins at an elevation of 550 feet above sea level at Texas Plane Coordinate X-2820805.43, Y-233307.74, and extends along a bearing of N 41 18 34.5 E for a distance of 3525.556 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818478.12, Y-230659.50.

“(DD) The Entrance Terrace to the University of Texas Swim Center Corridor, which encompasses all of the area between two lines:

“(i) one of which begins at an elevation of 540 feet above sea level at Texas Plane Coordinate X-2821029.40, Y-232523.71, and extends along a bearing of N 50 14 50.5 E for a distance of 3138.424 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818616.54, Y-230516.77; and

“(ii) the second of which begins at an elevation of 540 feet above sea level at Texas Plane Coordinate X-2820873.01, Y-232433.33, and extends along a bearing of N 53 31 42.3 E for a distance of 2959.714 feet to a point 100 feet from the center of the Capitol Dome, this point being located at Texas Plane Coordinate X-2818492.95, Y-230674.01.

“Section 2. CONSTRUCTION ABOVE CERTAIN HEIGHT PROHIBITED. The legislature finds that protecting the view of the State Capitol is a matter of interest and importance to all the people of Texas; and that from and after the effective date of this Act, a person may not undertake the construction in a capitol view corridor of any structure that would exceed the maximum permissible height calculated in accordance with the following formula:

“(1) $\text{tangent of } \theta = a/b = a'/b'$

$\text{tangent of } \theta \times b' = a'$

$a' - e = h$

“(2) where: VP = viewpoint

θ = viewing angle between level at the viewpoint and the Capitol dome

S = structure

a = 653' - VP elevation

b = distance between VP and Capitol dome

e = S elevation - VP elevation

a' = VP elevation to sightline to Capitol dome at S

b' = distance, VP to S

h = maximum permissible height of S. [A state agency or institution may not undertake any construction that would block all or part of the view of the capitol dome from any point on the south steps of the Main Building of The University of Texas at Austin or from any point on the terrace adjacent to the Lyndon Baines Johnson Library and Museum.]

"Section 3. **INJUNCTION.** Any person may file an action in a court of competent jurisdiction to enjoin the violation or threatened violation of Section 2 of this Act. The court may grant appropriate relief.

"Section 4. **APPLICATION.** Section 2 of this Act does not apply to any construction for which plans are prepared and a building permit has been issued [~~ground is broken~~] before the effective date of amendments to this Act passed by the Regular Session of the 69th Legislature. Section 2 of this Act does not apply to any construction for which no building permit is required and for which plans are prepared and ground is broken before the effective date of the 1985 amendments to this Act.

"Section 5. **LOCAL ORDINANCES.** The governing body of any city, including a home-rule city, affected by the provisions of this Act may grant transferable construction rights or adopt other measures that are reasonable to mitigate the impact of this Act in an affected view corridor, on application by affected property owners, prior to December 31, 1985. After December 31, 1985, the governing body may not grant additional transferable construction rights, and all applicable local ordinances relating to the grant of transferable construction rights or other measures mitigating the impact of this Act expire effective January 1, 1986. Any such construction right shall expire and forever terminate unless exercised within 36 calendar months from the date the local governing body last approves the transfer of the construction right. In any event, any such ordinance having as its subject matter transferable construction rights or measures to mitigate the impact of this Act must be consistent with the requirements of the city's zoning ordinance and land use plan.

"Section 6. **CONFLICT WITH LOCAL REQUIREMENTS.** If any requirement of this Act conflicts with a requirement enacted by a municipality, the more strict requirement shall prevail."

SECTION 2. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 16, 1985, by the following vote: Yeas 29, Nays 0; Senate concurred in House amendment on May 8, 1985, by the following vote: Yeas 30, Nays 0; passed the House, with amendment, on May 2, 1985, by the following vote: Yeas 133, Nays 1, three present not voting.

Approved: May 22, 1985

Effective: Immediately