

CHAPTER 757

H.B. No. 557

AN ACT

relating to the lease of certain state-owned property by the State Department of Highways and Public Transportation.

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

SECTION 1. DEFINITION. In this Act, "department" means the State Department of Highways and Public Transportation.

SECTION 2. AUTHORITY TO LEASE. The department may lease any part of the right-of-way for, or the airspace above or underground space below, a highway that is a part of the state highway system if the department has determined that the area to be leased will not be needed for highway purposes during the period of the lease.

SECTION 3. TERMS OF LEASE. The duration of the lease and all other terms of the lease may be determined by the department, except that the department may not convey title to, or sever from the real property, any permanent improvements constructed on the area leased under this Act.

SECTION 4. REVENUE RECEIVED. The department shall remit all payments received under a lease made under this Act to the state treasurer for deposit in the state treasury to the credit of the state highway fund.

SECTION 5. EFFECTIVE DATE. This Act takes effect on September 1, 1987.

SECTION 6. 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.

Passed by the House on March 26, 1987, by a non-record vote. Passed by the Senate on May 23, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.