

CITATION	TITLE	HEADINGS	TEXT
Tex. Const. art. I, § 17	Taking, Damaging, or Destroying Property for Public Use; Special Privileges and Immunities; Control of Privileges and Franchises.	Bill of Rights	(a) No person's property shall be taken, damaged, or destroyed for or applied to public use without adequate compensation being made, unless by the consent of such person, and only if the taking, damage, or destruction is for: (1) the ownership, use, and enjoyment of the property, notwithstanding an incidental use, by: (A) the State, a political subdivision of the State, or the public at large; or (B) an entity granted the power of eminent domain under law
Tex. Const. art. XI, § 5	Adoption or Amendment of Home Rule Charter	Cities of 5,000 or more population; adoption or amendment of charter	Cities having more than five thousand (5000) inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters. (Note: A home rule city's charter may contain additional provisions relating to eminent domain authority.)
Tex. Gov't Code § 1505.114	Eminent Domain	Public Securities, Specific Authority for Municipalities to Issue Securities, Obligations for Coastal Municipalities for Coastal Matters, Obligations for Toll Bridges and Other Facilities in Certain Coastal Municipalities	(a) A municipality may exercise the power of eminent domain to acquire the fee simple title to, an easement in, or a right-of-way over or through any property . . .
Tex. Gov't Code § 1506.060	Eminent Domain	Public Securities, Specific Authority for Municipalities to Issue Securities, Bonds for Municipal Parking and Transportation Facilities, Bonds for Parking Facilities in Home-Rule Municipalities	A municipality may exercise the power of eminent domain to acquire the fee simple title to property to provide a site for a facility authorized by Section 1506.052.

<p>Tex. Health & Safety Code § 262.028</p>	<p>Eminent Domain</p>	<p>Health Facilities, Local Hospitals, Municipal Hospital Authorities, Powers and Duties</p>	<p>(a) To carry out a power granted by this chapter, the authority may acquire the fee simple title to land, other property, and easements by condemnation under Chapter 21, Property Code. (b) The authority is considered to be a municipal corporation for the purposes of Section 21.021(c), Property Code.</p>
<p>Tex. Health & Safety Code § 265.052</p>	<p>Eminent Domain</p>	<p>Health Facilities, Local Hospitals, Joint Municipal and County Hospitals, Joint County-Municipal Hospital Boards</p>	<p>(a) The hospital board may acquire the fee simple title to or any other interest in land and other property by condemnation under Chapter 21, Property Code, to carry out any power, duty, or function under this subchapter.(b) The board has the same rights as a county or municipality under Section 21.021, Property Code.</p>
<p>Tex. Loc. Gov't Code § 43.136</p>	<p>Authority of Special-Law Municipality to Annex for Limited Purposes Along Navigable Stream</p>	<p>Organization of Municipal, Government, Municipal Boundaries and Annexation, Municipal Annexation, Limited Purpose Annexation</p>	<p>(c) The governing body may acquire land in the added area by purchase, condemnation, or gift. If condemnation is used, the municipality shall follow the condemnation procedure applying to the condemnation of land by the municipality for the purchase of streets.</p>
<p>Tex. Loc. Gov't Code § 214.136</p>	<p>Condemnation of Property</p>	<p>Regulation of Land Use, Structure, Businesses, and Related Activities Municipal Regulating Authority, Municipal Regulation of Housing and Other Structures, Building Lines</p>	<p>(a) Before or after expiration of the period for conformance set under Section 213.134(b)(2), a municipality, following the same procedure that it is authorized by law to use to institute condemnation proceedings, may: (1) remove a structure and condemn property in the area between a street and a building line</p>
<p>Tex. Loc. Gov't Code § 241.903</p>	<p>Acquisition of Air Rights or Other Property</p>	<p>Regulation of Land Use, Structures, Businesses, and Related Activities, Regulatory Authority Applying to More Than One Type of Local Government, Municipal and County Zoning Authority Around Airports, Miscellaneous Provisions</p>	<p>(a) A political subdivision may acquire from a person or other political subdivision an air right, aviation easement, or other estate or interest in property or in a nonconforming structure or use if (b) An acquisition under this section may be by purchase, grant, or condemnation in the manner provided by Subchapter B, Chapter 21, Property Code.</p>

<p>Tex. Loc. Gov't Code § 251.001</p>	<p>Right of Eminent Domain</p>	<p>Acquisition, Sale, or Lease of Property, Municipal Acquisition, Sale, or Lease of Property, Municipal Right of Eminent, Domain</p>	<p>(a) When the governing body of a municipality considers it necessary, the municipality may exercise the right of eminent domain for a public use to acquire public or private property, whether located inside or outside the municipality</p>
<p>Tex. Loc. Gov't Code § 273.001</p>	<p>Acquisition of Property; Exercise of Police Power</p>	<p>Acquisition, Sale, or Lease of Property, Acquisition, Sale, or Lease Provisions Applying to More Than One Type of Local Government, Acquisition of Property for Public Purposes by Municipalities, Counties, and Other Local Governments</p>	<p>(a) A municipality may, in accordance with this chapter, acquire property separately or jointly with another municipality or other governmental entity by gift, dedication, or purchase, with or without condemnation.</p>
<p>Tex. Loc. Gov't Code § 280.001</p>	<p>Land for Use of United States</p>	<p>Acquisition, Sale, or Lease of Property, Acquisition, Sale, or Lease Provisions Applying to More Than One Type of Local Government, Miscellaneous Provisions Affecting Acquisition, Sale, or Lease of Property by Municipalities and Counties</p>	<p>(d) For the purpose of acquiring land under this section, a municipality or county may condemn land. The condemnation may be for any period of years or in fee simple title. Condemnation may be in the name of the municipality or county.</p>
<p>Tex. Loc. Gov't Code § 280.003</p>	<p>Hospital Sites in County or Municipality</p>	<p>Acquisition, Sale, or Lease of Property, Acquisition, Sale, or Lease Provisions Applying to More Than One Type of Local Government, Miscellaneous Provisions Affecting Acquisition, Sale, or Lease of Property by Municipalities and Counties</p>	<p>(a) The commissioners court of a county or the governing body of a municipality may issue bonds that are payable from ad valorem taxes and use the proceeds from the sale of the bonds to acquire by purchase, condemnation, or both, land to be used for hospital purposes</p>
<p>Tex. Loc. Gov't Code § 281.050</p>	<p>Acquisition of Land and Other Property</p>	<p>Public Buildings and Grounds, Municipal Public Buildings and Grounds, Municipal Civic Center Authorities, Powers and Duties</p>	<p>(a) An authority may acquire land, materials, easements, rights-of-way, or other property considered necessary, incidental, or helpful to the accomplishment of a purpose stated in Section 281.044. An authority may acquire the property by gift, grant, purchase, or condemnation.</p>

<p>Tex. Loc. Gov't Code § 281.051</p>	<p>Eminent Domain</p>	<p>Public Buildings and Grounds, Municipal Public Buildings and Grounds, Municipal Civic Center Authorities, Powers and Duties</p>	<p>(a) An authority may acquire land, easements, or other property within its boundaries by condemnation. The authority may condemn the fee simple title or an easement. The board shall institute condemnation proceedings in the name of the authority and shall direct the proceedings.</p>
<p>Tex. Loc. Gov't Code § 331.001</p>	<p>General Authority</p>	<p>Parks and Other Recreational and Cultural Resources, Parks and Other Recreational and Cultural Resources and Provisions Applying to More Than One Type of Local Government, Municipal and County Authority to Acquire and Maintain Parks, Museums, and Historic Sites</p>	<p>(b) A municipality or county may by gift, devise, purchase, or eminent domain proceeding acquire</p>
<p>Tex. Loc. Gov't Code § 331.003</p>	<p>Eminent Domain</p>	<p>Parks and Other Recreational and Cultural Resources, Parks and Other Recreational and Cultural Resources and Provisions Applying to More Than One Type of Local Government, Municipal and County Authority to Acquire and Maintain Parks, Museums, and Historic Sites</p>	<p>A municipality or county may exercise eminent domain under Section 331.001(b) for the acquisition of a historic site, building, or structure only on a showing that it is necessary to prevent the destruction or deterioration of the site, building, or structure.</p>
<p>Tex. Loc. Gov't Code § 335.071</p>	<p>General Powers of District</p>	<p>Parks and Other Recreational and Cultural Resources, Parks and Other Recreational and Cultural Resources and Provisions Applying to More Than One Type of Local Government, Sports and Community Venue Districts, Powers and Duties</p>	<p>(h) A district has the right and power of eminent domain under Chapter 21, Property Code, to acquire and condemn any interest, including a fee simple interest, in real property in the district, in connection with the planning, acquisition, establishment, development, construction, renovation, repair, maintenance, or operation of an approved venue project.</p>

<p>Tex. Loc. Gov't Code § 374.015</p>	<p>General Municipal Powers Relating to Urban Renewal</p>	<p>Municipal Planning and Development, Urban Renewal in Municipalities, Municipal Powers and Duties Relating to Urban Renewal</p>	<p>(d) Except as provided by Section 374.016, a municipality may acquire by condemnation any interest in real property, including a fee simple interest that the municipality considers necessary for or in connection with an urban renewal project.</p>
<p>Tex. Loc. Gov't Code § 379B.0045</p>	<p>Eminent Domain</p>	<p>Planning and Development, Municipal Planning and Development, Defense Base Development Authorities</p>	<p>(a) An authority or an authority whose subject property is within the territorial limits of a municipality may exercise the power of eminent domain to acquire property in the base property or in an area surrounding the base only in the manner provided by Chapter 21, Property Code.</p>
<p>Tex. Loc. Gov't Code § 392.056</p>	<p>Acquisition, Use, and Disposition of Real and Personal Property</p>	<p>Planning and Development Provisions Applying to More Than One Type of Local Government, Housing Authorities Established by Municipalities and Counties, Powers and Duties of a Housing Authority</p>	<p>(b) An authority may purchase, lease, or obtain an option on an interest in real or personal property. An authority may acquire an interest in real or personal property by gift, grant, bequest, devise, or any other manner.</p>
<p>Tex. Loc. Gov't Code § 392.061</p>	<p>Eminent Domain</p>	<p>Planning and Development Provisions Applying to More Than One Type of Local Government, Housing Authorities Established by Municipalities and Counties, Powers and Duties of a Housing Authority</p>	<p>(a) An authority may acquire an interest in real property, including a fee simple interest, by the exercise of the power of eminent domain after it adopts a resolution describing the real property and declaring the acquisition of the property necessary for the purposes of the authority under this chapter.</p>
<p>Tex. Loc. Gov't Code § 505.105</p>	<p>Eminent Domain</p>	<p>Planning and Development Additional Planning and Development Provisions Applying to More Than One Type of Local Government, Type B Corporations, Powers and Duties</p>	<p>A Type B corporation may exercise the power of eminent domain only: (1) on approval of the action by the governing body of the authorizing municipality; and (2) in accordance with and subject to the laws applicable to the authorizing municipality.</p>

<p>Tex. Loc. Gov't Code § 507.103</p>	<p>Eminent Domain</p>	<p>Planning and Development Additional Planning and Development Provisions Applying to More Than One Type of Local Government, Spaceport Development Corporations Powers and Duties</p>	<p>(a) A spaceport development corporation may exercise the power of eminent domain to acquire property for a spaceport.</p>
<p>Tex. Loc. Gov't Code § 552.002</p>	<p>Certain Public Services & Utility Systems in Home-Rule Municipality</p>	<p>Water and Utilities, Municipal Water and Utilities, Municipal Utilities, Public Utility Systems in General (gas, electric, and other utilities)</p>	<p>(b) The municipality may use eminent domain authority to appropriate real property, rights-of-way, or other property as necessary to efficiently carry out those objects. The municipality may condemn the property of any person that conducts such a business or utility service for the purpose of operating and maintaining the public service or public utility and distributing the utility services in the municipality.</p>
<p>Tex. Loc. Gov't Code § 552.011</p>	<p>Use of Eminent Domain Power</p>	<p>Water and Utilities, Municipal Water and Utilities, Municipal Utilities, Acquisition of Interests for Drainage, Sewage, or Water Supply Purposes</p>	<p>A municipality that owns its water system may exercise the power of eminent domain to condemn private property located inside or outside the municipal limits to acquire rights-of-way for digging or excavating canals or for laying water mains or other pipelines to bring water into the municipality for public use.</p>
<p>Tex. Loc. Gov't Code § 552.012</p>	<p>Municipalities in or Contracting Within a Water District</p>	<p>Water and Utilities, Municipal Water and Utilities, Municipal Utilities, Acquisition of Interests for Drainage, Sewage, or Water Supply Purposes</p>	<p>(c) The municipality, acting alone or with one or more other municipalities to which this section applies, may: (1) receive or acquire by gift, dedication, purchase, or condemnation any property in this state, located inside or outside the municipal boundaries, to build or acquire .</p>

<p>Tex. Loc. Gov't Code § 552.013</p>	<p>Water System in Municipalities With Population of More Than 1,000</p>	<p>Water and Utilities, Municipal Water and Utilities, Municipal Utilities, Acquisition of Interests for Drainage, Sewage, or Water Supply Purposes</p>	<p>(b) The municipality may acquire any interest, including a fee simple interest, in publicly or privately owned property, including riparian rights, located anywhere in the state. The municipality may acquire the interest by purchase, gift, devise, or eminent domain.(c) To furnish an adequate and wholesome supply of water for the residents, the municipality may exercise the power of eminent domain to acquire and condemn public or private property to extend, improve, or enlarge its water system, including water supply reservoirs, riparian rights, standpipes, and watersheds, to construct water supply reservoirs, wells or artesian wells, or dams, and to construct or establish necessary facilities or appurtenances.</p>
<p>Tex. Loc. Gov't Code § 552.102</p>	<p>Eminent Domain by Municipal Sewer Providers</p>	<p>Water and Utilities, Municipal Water and Utilities, Corporations and Municipal Water Systems</p>	<p>(a) A corporation incorporated in this state for the purpose of owning, constructing, or maintaining a sewer system in a municipality may by eminent domain condemn private property</p>
<p>Tex. Loc. Gov't Code § 552.123</p>	<p>Authority of Board of Trustees</p>	<p>Water and Utilities, Municipal Water and Utilities, Management of Certain Encumbered Municipal Electric Utility Systems</p>	<p>(b) The municipality may delegate to the board of trustees all or part of the municipality's authority to:(1) exercise the power of eminent domain with respect to property that will be used by, useful to, or required by the utility system</p>
<p>Tex. Loc. Gov't Code § 571.004</p>	<p>Acquisition of Property; Eminent Domain</p>	<p>Water and Utilities, Water Provisions Applying to More Than One Type of Local Government, Seawalls and Levees in Coastal Municipalities and Counties, Authority of County or Municipality Bordering Gulf</p>	<p>(a) The county or municipality may acquire property that is necessary for the establishment, construction, and maintenance of a seawall, breakwater, levee, floodway, or drain way. (b) The county or municipality may exercise the right of eminent domain to condemn an interest in real property for the purposes described by Subsection (a).</p>

<p>Tex. Loc. Gov't Code § 572.012</p>	<p>General Rights, Powers, and Duties of Public Entities</p>	<p>Water and Utilities, Water Provisions Applying to More Than One Type of Local Government, Public Utility Agencies for Provision of Water or Sewer Service.</p>	<p>(a) Each participating public entity may: (1) use the entity's money to plan, acquire, construct, own, operate, and maintain its interest in a facility; (4) acquire, for the use and benefit of each participating public entity, land, easements, and property for a facility by purchase or by exercising the power of eminent domain</p>
<p>Tex. Loc. Gov't Code § 572.013</p>	<p>Use of Eminent Domain</p>	<p>Water and Utilities, Water Provisions Applying to More Than One Type of Local Government, Public Utility Agencies for Provision of Water or Sewer Service, Cooperation by Public and Private Entities</p>	<p>(a) A participating public entity has the power of eminent domain to be exercised as provided by this section.</p>
<p>Tex. Loc. Gov't Code § 601.027</p>	<p>Powers of an Authority</p>	<p>Parking and Transportation, Municipal Parking Provisions, Municipal Authority Relating to Parking, Municipal Parking Authorities</p>	<p>(a) An authority may: (11) exercise the power of eminent domain</p>
<p>Tex. Loc. Gov't Code § 601.040</p>	<p>Acquisition of Real Property</p>	<p>Parking and Transportation, Municipal Parking Provisions, Municipal Authority Relating to Parking, Municipal Parking Authorities</p>	<p>(c) An authority may, at its own expense, acquire real property for a project in the name of the municipality by purchase or condemnation under the laws relating to the condemnation of land by the municipality.</p>
<p>Tex. Nat. Res. Code § 183.057</p>	<p>Protected Land, Notice of Taking</p>	<p>Acquisition of Resources, Conservation Easements, Conservation Easements Generally</p>	<p>(a) A department or agency of this state, a county, a municipality, another political subdivision, or a public utility may not approve any program or project that requires the use or taking through eminent domain of private land encumbered by an agricultural conservation easement purchased under this subchapter unless the governmental entity or public utility acting through its governing body or officers determines that: (1) there is no feasible and prudent alternative to the use or taking of the land; and (2) the program or project includes all reasonable planning to minimize harm to the land resulting from the use or taking.</p>

Tex. Tax Code § 311.008	Powers of Municipality or County	Local Taxation, Special Property Tax Provisions, Tax Increment Financing Act	(b) A municipality or county may exercise any power necessary and convenient to carry out this chapter, including the power to: (2) acquire real property by purchase, condemnation, or other means and sell real property, on the terms and conditions and in the manner it considers advisable, to implement project plans; (d) A municipality or county may make available to the public on request financial information regarding the acquisition by the municipality or county of land in the zone when the municipality or county acquires the land.
Tex. Transp. Code § 22.011	General Powers Regarding Airports & Air Navigation Facilities	Aviation, County and Municipal Airports, Establishment, Acquisition, Operation, Maintenance, and Disposal of Airports and Air Navigation Facilities	(c) A local government, by eminent domain or any other method, may acquire an interest in property, including an easement in an airport hazard or land outside the boundaries of an airport or airport site
Tex. Transp. Code § 173.159	Eminent Domain	Railroads, Special Districts, Intermunicipal Commuter RAIL Districts, General Powers and Duties	(a) A district may exercise the power of eminent domain to acquire:(1) land in fee simple; or (2) any interest less than fee simple in, on, under, or above land, including an easement, right-of-way, or right of use of airspace or subsurface space.
Tex. Transp. Code § 224.002	Acquisition by County or Municipality Generally	Roadways, State Highway System Acquisition, Construction, and Maintenance, Acquisition Generally	(a) A county or municipality shall acquire, in the manner provided by law, the highway right-of-way that is requested by the department.
Tex. Transp. Code § 311.032	Establishment of Freeway	Roadways, Municipal Streets, General Provisions Relating to Municipal Streets, Municipal Freeways	(b) To establish a freeway by using a street that exists at the time of the establishment, the municipality must have the consent of the owners of lands abutting the freeway or must purchase or condemn the right of access to the abutting lands.

<p>Tex. Transp. Code § 311.033</p>	<p>Acquisition of Land</p>	<p>Roadways, Municipal Streets, General Provisions Relating to Municipal Streets</p>	<p>For the purposes of this subchapter, the governing body may acquire necessary property or property rights by gift, devise, purchase, or condemnation in the same manner that the governing body may acquire property for a municipal street.</p>
<p>Tex. Transp. Code § 311.092</p>	<p>Assessment for Opening, Extending, or Widening of Street or Alley in Home-Rule Municipality</p>	<p>Roadways, Municipal Streets, General Provisions Relating to Municipal Streets, Financing Improvements</p>	<p>(a) A home-rule municipality may: (1) acquire land necessary for opening, extending, or widening a public street or alley by the exercise of the right of eminent domain under Section 251.001, Local Government Code</p>
<p>Tex. Transp. Code § 314.011</p>	<p>Acquisition of Property for Highway Improvements by Municipality</p>	<p>Roadways, Municipal Streets, Purchase or Condemnation of Property for Highways by Certain Municipalities, Authority to Purchase or Condemn Property</p>	<p>(a) The governing body of a municipality may purchase or condemn property to lay out, construct, improve, or extend any highway within its boundaries.</p>
<p>Tex. Transp. Code § 317.007</p>	<p>Eminent Domain</p>	<p>Roadways, Municipal Streets, Elimination of Grade-Level Street Crossings by Railroad Lines in Municipalities with Population of More Than 100,000</p>	<p>(a) A municipality may exercise the power of eminent domain to acquire the fee simple title to, an easement in, or a right-of-way over or through any property, including water or land under water, that the governing body of the municipality determines necessary.</p>
<p>Tex. Transp. Code § 451.069</p>	<p>Use and Acquisition of Property of Others</p>	<p>Roadways, Mass Transportation, Metropolitan Rapid Transit Authorities, Powers of Authorities</p>	<p>(c) An authority may acquire by eminent domain any interest in real property, including a fee simple interest and the use of air or subsurface space.</p>
<p>Tex. Util. Code § 186.054</p>	<p>Construction and Maintenance of Utility, Common Carrier, Cable Operator, and Energy Transporter Facilities</p>	<p>Delivery of Utility Services, Provisions Regulating Delivery of Services, Provisions to Ensure the Reliability and Integrity of Utility Service, Construction and Maintenance of Facilities Along, Over, Under, or Across Railroad Right-Of-Way</p>	<p>(a) A utility, common carrier, cable operator, or energy transporter may acquire an easement by eminent domain along, over, under, or across a railroad or railroad right-of-way as provided by this subchapter to maintain, operate, or upgrade its facilities consistent with preexisting licenses or agreements.</p>

<p>Tex. Water Code § 11.033</p>	<p>Eminent Domain</p>	<p>Water Administration, Water Rights, Rights in State Water</p>	<p>All political subdivisions of the state and constitutional governmental agencies exercising delegated legislative powers have the power of eminent domain to be exercised as provided by law for domestic, municipal, and manufacturing uses and for other purposes authorized by this code.</p>
<p>Tex. Water Code § 13.247</p>	<p>Area Within a Municipality</p>	<p>Water Administration, Water Rights, Water Rates and Services</p>	<p>(d) In addition to any other rights provided by law, a municipality with a population of more than 500,000 may exercise the power of eminent domain in the manner provided by Chapter 21, Property Code, to acquire a substandard water or sewer system if all the facilities of the system are located entirely within the municipality's boundaries. The municipality shall pay just and adequate compensation for the property. In this subsection, "substandard water or sewer system" means a system that is not in compliance with the municipality's standards for water and wastewater service.</p>