



The Student Senate

Texas A&M University

S.B. 68-36

The Student Senate
68th Session
Texas A&M University

Authored By: Wayne Beckerman, Vice President of Municipal Affairs

Sponsored By: ~~Rules and Regulations Committee Chair~~ Carlos Sonka, Engineering Caucus

Action Taken

PASSED

By a 60-2 roll call vote

10 February 2016

Certified By:

Aaron Mitchell '16

Aaron Mitchell
Speaker of the Senate

Duly Approved:

Joseph Benigno '16

Joseph Benigno
Student Body President

The Eminent Domain Opposition Act

Special Designation: Act of the Senate

"A resolution affirming the Texas A&M student body's stance on eminent domain and condemnation processes"

Whereas(1): Texas A&M University, originally designated the Agricultural and Mechanical College of Texas, was founded to promote an education based on agriculture and mechanical arts; and,

Whereas(2): Agencies, former students, and advocates of Texas A&M have taken its original purpose earnestly by establishing pursuits and livelihoods predicated upon agrarian activities requiring unabridged tracts of land; and,

Whereas(3): The aforementioned stakeholders are joined by millions of Texans from across the state whose forefathers fought and died for the preservation of the right to private property; and,

Whereas(4): An entity, seeking eminent domain authority and attempting to acquire real property, or an easement, for a public use, should not impede landowners from utilizing property lawfully obtained with investment-backed expectations; and,



The Student Senate

Texas A&M University

Senate Bill S.B. 68-36 – Page 2 of 3

Further Certified:

Aaron Mitchell '16
Aaron Mitchell
Speaker of the Senate

Whereas(5): Due to the proximity to our campus of a proposed Texas Central High Speed Railroad station in Grimes County and the potential impact on current students and their families, Texas A&M's student body is compelled to express its position on this project and eminent domain.

Therefore

Let it be

Enacted(1): Any and all forcible takings of private property that disenfranchise landowners are strongly condemned by the Texas A&M student body; and,

Let it be

Further

Resolved(2): That the following shall be added to Chapter 904 of the Code, creating Article V:

ARTICLE V. THE EMINENT DOMAIN OPPOSITION ACT

SECTION I. Legislative Intent of this Particular Article

(a) The Student Senate intends this Act to set forth guidelines for establishing advocacy for opposing the planned or actual utilization of eminent domain in the State of Texas, both generally and specifically in opposition to Texas Central Railway's proposed high speed rail project; and,

SECTION II. Definitions

- (a) For the purposes of this Article, the following words shall be ascribed the following meanings:
- (1) "Eminent Domain" shall be defined as taking private property, or acquiring an easement for public use.
 - (2) "Utilization" shall be defined as gaining or attempting to gain authorization under Chapter 21 of the Texas Property Code or Chapter 2206, Subtitle E, Title 10 of the Government Code
 - (3)

SECTION III. The Eminent Domain Policy and Proposal

a. It shall be the official policy of the Student Government Association, on behalf of the student body of Texas A&M University, to oppose any project, initiative, plan, or proposal which would make or attempt to make use of eminent domain or condemnation to secure land, easements, or property for the same.



The Student Senate

Texas A&M University

Senate Bill S.B. 68-36 – Page 3 of 3

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b. It shall be the official policy of the Student Government Association, on behalf of the student body of Texas A&M University, to advocate at the State level for outcomes that do not invoke eminent domain, including cessation or cancellation of projects, and especially denial of authority to invoke eminent domain or condemnation by actors or agents thereof seeking such authority for projects which require the said authorization.

Let it be

Further

Resolved(3): That a copy of this act be sent to:

Governor Greg Abbott, State of Texas

Senator Charles Schwertner, Texas State Senator

Representative Kyle Kacal, Texas House of Representatives

Representative John Raney, Texas House of Representatives

Chancellor John Sharp, Texas A&M University System

Ms. Barbara Cargill, Texas State Board of Education Member

Vice President Brady Redwine, Texas Central Railway

Kyle Workman, Texans Against High-Speed Rail

Hon. Ben Leman, Grimes County judge