

By: Bailes, Burns, Ashby, Harris, Leman,
et al.

H.B. No. 448

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the provision of certain eminent domain information to
3 property owners through a landowner's bill of rights.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 402.031(b), Government Code, is amended
6 to read as follows:

7 (b) The landowner's bill of rights must notify each property
8 owner that the property owner has the right to:

9 (1) notice of the proposed acquisition of the owner's
10 property;

11 (2) a bona fide good faith effort to negotiate by the
12 entity proposing to acquire the property;

13 (3) an assessment of damages to the owner that will
14 result from the taking of the property;

15 (4) a hearing under Chapter 21, Property Code,
16 including a hearing on the assessment of damages; ~~and~~

17 (5) an appeal of a judgment in a condemnation
18 proceeding, including an appeal of an assessment of damages; and

19 (6) file a written complaint with the Texas Real
20 Estate Commission under Section 1101.205, Occupations Code,
21 regarding alleged misconduct by a registered easement or
22 right-of-way agent acting on behalf of the entity exercising
23 eminent domain authority.

24 SECTION 2. The office of the attorney general shall make the

1 landowner's bill of rights statement required by Section 402.031,
2 Government Code, as amended by this Act, available on the attorney
3 general's Internet website not later than December 1, 2021.

4 SECTION 3. (a) Except as provided by Subsection (b) of this
5 section, this Act takes effect January 1, 2022.

6 (b) Section 2 of this Act takes effect September 1, 2021.