

1-1 By: Bailes, et al. (Senate Sponsor - Nichols) H.B. No. 448  
 1-2 (In the Senate - Received from the House May 5, 2021;  
 1-3 May 6, 2021, read first time and referred to Committee on State  
 1-4 Affairs; May 18, 2021, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 18, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the provision of certain eminent domain information to  
 1-20 property owners through a landowner's bill of rights.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 402.031(b), Government Code, is amended  
 1-23 to read as follows:

1-24 (b) The landowner's bill of rights must notify each property  
 1-25 owner that the property owner has the right to:

1-26 (1) notice of the proposed acquisition of the owner's  
 1-27 property;

1-28 (2) a bona fide good faith effort to negotiate by the  
 1-29 entity proposing to acquire the property;

1-30 (3) an assessment of damages to the owner that will  
 1-31 result from the taking of the property;

1-32 (4) a hearing under Chapter 21, Property Code,  
 1-33 including a hearing on the assessment of damages; ~~and~~

1-34 (5) an appeal of a judgment in a condemnation  
 1-35 proceeding, including an appeal of an assessment of damages; and

1-36 (6) file a written complaint with the Texas Real  
 1-37 Estate Commission under Section 1101.205, Occupations Code,  
 1-38 regarding alleged misconduct by a registered easement or  
 1-39 right-of-way agent acting on behalf of the entity exercising  
 1-40 eminent domain authority.

1-41 SECTION 2. The office of the attorney general shall make the  
 1-42 landowner's bill of rights statement required by Section 402.031,  
 1-43 Government Code, as amended by this Act, available on the attorney  
 1-44 general's Internet website not later than December 1, 2021.

1-45 SECTION 3. (a) Except as provided by Subsection (b) of this  
 1-46 section, this Act takes effect January 1, 2022.

1-47 (b) Section 2 of this Act takes effect September 1, 2021.

1-48 \* \* \* \* \*