

By: Schwertner, et al.

S.B. No. 722

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the failure to disclose certain appraisal reports by an
3 entity with eminent domain authority in connection with an offer to
4 acquire real property.

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

6 SECTION 1. Section 21.0111(a), Property Code, is amended to
7 read as follows:

8 (a) An entity with eminent domain authority that wants to
9 acquire real property for a public use shall, by certified mail,
10 return receipt requested, disclose to the property owner at the
11 time an offer to purchase or lease the property is made any and all
12 appraisal reports produced or acquired by the entity relating
13 specifically to the owner's property and prepared in the 10 years
14 preceding the date of the offer. An entity that fails to meet the
15 requirements of this subsection is liable to the owner for
16 reasonable attorney's fees incurred by the owner in connection with
17 the entity's acquisition of the owner's property.

18 SECTION 2. The change in law made by this Act applies only
19 to the acquisition of real property in connection with an initial
20 offer made under Section 21.0113, Property Code, on or after the
21 effective date of this Act. An acquisition of real property in
22 connection with an initial offer made under Section 21.0113,
23 Property Code, before the effective date of this Act, is governed by
24 the law applicable to the acquisition immediately before the

1 effective date of this Act, and that law is continued in effect for
2 that purpose.

3 SECTION 3. This Act takes effect September 1, 2021.