

By: Schofield

H.J.R. No. 26

A JOINT RESOLUTION

1 proposing a constitutional amendment concerning the right to
2 repurchase real property acquired through eminent domain.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 52j, Article III, Texas Constitution, is
5 amended to read as follows:

6 Sec. 52j. A person from whom a real property interest is
7 acquired by an entity through eminent domain for a public use, or
8 that person's heirs, successors, or assigns, is entitled to
9 repurchase the property under the conditions provided by this
10 section. An [~~A governmental~~] entity shall offer to [~~may~~] sell real
11 property acquired through eminent domain to the person who owned
12 the real property interest immediately before the [~~governmental~~]
13 entity acquired the property interest, or to the person's heirs,
14 successors, or assigns, at the price the entity paid at the time of
15 acquisition if:

16 (1) the public use for which the property was acquired
17 through eminent domain is canceled;

18 (2) no actual progress is made toward the public use
19 during a prescribed period of time; or

20 (3) the property is unnecessary for the public use.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 7, 2023.
23 The ballot shall be printed to provide for voting for or against the
24 proposition: "The constitutional amendment to require an entity to

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1 offer for sale under certain conditions real property acquired
2 through eminent domain to the previous owner at the price the entity
3 paid to acquire the property."