

By: Lindsay

S.B. No. 5

A BILL TO BE ENTITLED

AN ACT

relating to procedures in condemnation proceedings in a county civil court at law in certain counties.

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

SECTION 1. Subchapter A, Chapter 25, Government Code, is amended by adding Section 25.0020 to read as follows:

Sec. 25.0020. CONDEMNATION PROCEEDINGS IN CERTAIN COUNTIES. (a) This section applies only to a county with a population of three million or more.

(b) Notwithstanding Section 25.1032 or any other law, a county civil court at law has concurrent jurisdiction with the district court of eminent domain proceedings, both statutory and inverse, regardless of the amount in controversy.

(c) Notwithstanding Section 21.013, Property Code, a party initiating a condemnation proceeding may file a petition with any clerk authorized to accept the petition for the district court.

(d) A condemnation proceeding shall be assigned by rotation to a court with jurisdiction to hear the proceeding.

(e) Notwithstanding Section 62.301, for a condemnation proceeding before a county civil court at law, a party may elect in a timely filed jury demand to have the proceeding tried before a jury of 12 persons.

SECTION 2. This Act takes effect December 1, 2003.