

BILL ANALYSIS

H.B. 783
By: Coleman
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

House Bill 783 amends Subchapter B, Chapter 21, Property Code, to require public participation in the condemnation proceedings of more than one unit of residential property by an institution of higher education with eminent domain authority. There is presently no regulation with respect to institutions of higher education that want to acquire residential property through condemnation.

The purpose of House Bill 783 is to require public notification and input prior to any condemnation of residential property by a institution of higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1: Amends Subchapter B, Chapter 21, Property Code, as follows:

Requires institutions of higher education that want to condemn residential properties to hold a public hearing at which public testimony is allowed.

Requires the public hearing to be in a location readily accessible to the affected community.

Requires the governing body of the institution of higher education to provide notice within 30 days of the hearing to the state senator and representative of the area, the mayor and each city council member of the municipality, and the owner of each unit of residential real property that the institute of higher learning is seeking to acquire. The institution must also publish notice in local newspapers.

SECTION 2: The bill is prospective.

SECTION 3. Effective Date.

EFFECTIVE DATE

September 1, 2003.