

Amend CSSB 1273 (House committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 183.056(c), Natural Resources Code (page 4, line 25), strike "fund" and substitute "qualified easement holder".

(2) In SECTION 2 of the bill, at the end of added Section 183.056(c), Natural Resources Code (page 4, line 27), add:  
The qualified easement holder shall pay to the fund any amounts received under this subsection, not to exceed the amount paid by the fund for the purchase of the easement.

(3) In SECTION 2 of the bill, strike added Section 183.057(d), Natural Resources Code (page 6, lines 2-11), and substitute:

(d) If, after making the determination required by Subsection (a), a department or agency of this state, a county, a municipality, another political subdivision, or a public utility acquires by eminent domain a fee simple interest in land encumbered by an agricultural conservation easement purchased under this subchapter:

(1) the easement on the condemned property terminates;  
and

(2) the entity exercising the power of eminent domain shall:

(A) pay for an appraisal of the fair market value, as that term is defined by Section 183.056, of the property subject to condemnation;

(B) pay to the qualified easement holder an amount equal to the amount paid by the holder for the portion of the easement affecting the property to be condemned;

(C) pay to the landowner an amount equal to the fair market value of the condemned property less the amount paid to the qualified easement holder under Paragraph (B); and

(D) pay to the landowner and the qualified easement holder any additional damages to their interests in the remaining property, as determined by the special commissioners under Section 21.042, Property Code.

(e) If, after making the determination required by Subsection (a), a department or agency of this state, a county, a

municipality, another political subdivision, or a public utility acquires by eminent domain an interest other than a fee simple interest in land encumbered by an agricultural conservation easement purchased under this subchapter:

(1) the entity exercising the power of eminent domain shall pay for an appraisal of the fair market value, as that term is defined by Section 183.056, of the property subject to condemnation; and

(2) the special commissioners shall consider the fair market value as the value of the property for purposes of assessing damages under Section 21.042, Property Code.

(f) The qualified easement holder shall pay to the fund any amounts received under Subsections (d) and (e), not to exceed the amount paid by the fund for the purchase of the easement.

(4) In SECTION 2 of the bill, strike added Section 183.061(a)(2), Natural Resources Code (page 10, lines 22-27), and substitute:

(2) three ex officio members as follows:

(A) the commissioner;

(B) the presiding officer of the Parks and Wildlife Commission or the presiding officer's designee; and

(C) the state conservationist of the Natural Resource Conservation Service of the United States Department of Agriculture or a designee of that person, who serves as a nonvoting member.

(5) In SECTION 2 of the bill, in added Section 183.061(d), Natural Resources Code, between "designate" and "an" (page 11, line 8), insert "from among the members of the council".

(6) In SECTION 2 of the bill, strike added Section 183.064, Natural Resources Code (page 15, lines 3-7), and substitute:

Sec. 183.064. REPORT TO TEXAS DEPARTMENT OF TRANSPORTATION. Not later than the 10th day after the date of a closing of a purchase of an easement under this subchapter, the land office shall provide the Texas Department of Transportation a legal description of the property subject to the easement and shall include with the description the date the closing occurred.