

By: Mowery

H.B. No. 2150

A BILL TO BE ENTITLED

AN ACT

relating to dismissal of condemnation proceedings.

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

SECTION 1. Section 21.019, Property Code, is amended by adding Subsection (d) to read as follows:

(d) A court may not dismiss a condemnation proceeding for failure of the condemning entity's petition to meet a requirement of Section 21.012(b) unless the court has given the condemning entity adequate time to cure the defect in the petition.

SECTION 2. The change in law made by this Act applies only to the dismissal of a condemnation proceeding on or after the effective date of this Act, without regard to whether the condemnation petition was filed before, on, or after that date. The dismissal of a condemnation proceeding before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.