

By: Hegar

H.B. No. 2246

A BILL TO BE ENTITLED

AN ACT

relating to the amount of damages offered to a real property owner by an entity exercising the power of eminent domain.

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

SECTION 1. Section 21.0111, Property Code, is amended by adding Subsection (c) to read as follows:

(c) A condemning entity described by Section 21.012(a) shall provide to the property owner a written estimate of the value that will be offered to the owner for the property interest to be acquired through the exercise of the entity's eminent domain authority and a statement that the estimate is a preliminary valuation and is subject to change after a formal appraisal is conducted. A governmental entity shall provide the estimate required by this subsection in addition to the appraisal reports required to be disclosed under Subsection (a). Any other entity subject to this subsection must provide the estimate at the time the entity initially contacts the owner with respect to the entity's intent to exercise the entity's eminent domain authority.

SECTION 2. The change in law made by this Act applies only to information disclosed by a governmental entity under Section 21.0111(a), Property Code, on or after the effective date of this Act or an initial contact of a property owner by a condemning entity other than a governmental entity that is made on or after the effective date of this Act. A disclosure or initial contact made

1 before the effective date of this Act is governed by the law in
2 effect immediately before that date, and that law is continued in
3 effect for that purpose.

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