

By: Corte

H.B. No. 982

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of certain information related to the exercise of the power of eminent domain.

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

SECTION 1. Section 552.0037, Government Code, is amended to read as follows:

Sec. 552.0037. CERTAIN ENTITIES AUTHORIZED TO TAKE PROPERTY THROUGH EMINENT DOMAIN. (a) Notwithstanding any other law, information collected, assembled, or maintained by an entity that is not a governmental body but is authorized by law to take private property through the use of eminent domain is required to produce documentation as provided by this section if the information is requested by a person who owns property that is the subject of a proposed or existing eminent domain proceeding ~~[is subject to this chapter in the same manner as information collected, assembled, or maintained by a governmental body]~~, but only if the information is related to the taking of the person's private property by the entity through the use of eminent domain.

(b) An entity described by Subsection (a) is required under this section only to produce documents relating to the condemnation of the specific property owned by the requestor as described in the request. A request under this section must contain sufficient details to allow the entity to identify the specific tract of land in relation to which the information is sought.

1 (c) The entity shall respond to a request in accordance with
2 the Texas Rules of Civil Procedure as if the request was made in a
3 matter pending before a state district court.

4 (d) Exceptions to disclosure provided by this chapter and
5 the Texas Rules of Civil Procedure apply to the disclosure of
6 information under this section.

7 (e) Jurisdiction to enforce the provisions of this section
8 resides in a state district court in the county in which the entity
9 has its principal place of business.

10 SECTION 2. The change in law made by this Act applies only
11 to a request for disclosure made on or after the effective date of
12 this Act. A request for disclosure made before the effective date
13 of this Act is governed by the law in effect immediately before the
14 effective date of this Act, and that law is continued in effect for
15 that purpose.

16 SECTION 3. This Act takes effect September 1, 2007.