

By: Jackson, Mowery, Flynn

H.J.R. No. 30

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow the repurchase of
2 real property acquired by a governmental entity through eminent
3 domain.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article III, Texas Constitution, is amended by
6 adding Section 52j to read as follows:

7 Sec. 52j. A governmental entity may sell real property
8 acquired through eminent domain to the person who owned the real
9 property interest immediately before the governmental entity
10 acquired the property interest, or to the person's heirs,
11 successors, or assigns, at the price the entity paid at the time of
12 acquisition if:

13 (1) the public use for which the property was acquired
14 through eminent domain is canceled;

15 (2) no actual progress is made toward the public use
16 during a prescribed period of time; or

17 (3) the property is unnecessary for the public use.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 6, 2007.
20 The ballot shall be printed to provide for voting for or against the
21 proposition: "The constitutional amendment to allow governmental
22 entities to sell property acquired through eminent domain back to
23 the previous owners at the price the entities paid to acquire the
24 property."