

BILL ANALYSIS

Senate Research Center
81R22023 PMO-D

H.B. 2685
By: Callegari et al. (Nichols)
State Affairs
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2685 amends current law relating to the landowner's bill of rights.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.0112(a), Property Code, as follows:

(a) Requires a governmental or private entity, not later than the seventh day before the date the entity with eminent domain authority makes a final offer to, rather than before the entity begins negotiating with, a property owner to acquire real property, to send by first-class mail or otherwise provide a landowner's bill of rights statement provided by Section 402.031 (Public Awareness Campaign Concerning Certain Prescription Drug Solicitations), Government Code, to the last known address of the person in whose name the property is listed on the most recent tax roll of any appropriate taxing unit authorized by law to levy property taxes against the property. Requires an entity with eminent domain authority, in addition to the other requirements of this subsection, to provide a copy of the landowner's bill of rights statement to a landowner before or at the same time as the entity first represents in any manner to the landowner that the entity possesses eminent domain authority.

SECTION 2. Requires the attorney general's office, as soon as practicable after the effective date of this Act, to prepare a new landowner's bill of rights statement under Section 402.031, Government Code, as added by Chapter 1201 (H.B. 1495), Acts of the 80th Legislature, Regular Session, 2007, to incorporate the general law changes made by the 81st Legislature and any constitutional amendments proposed by the 81st Legislature and approved by the voters. Requires the attorney general's office to consult with stakeholders regarding the draft of the statement. Requires that the statement be drafted in plain language.

SECTION 3. Effective date: January 15, 2010.