

1-1 By: Callegari, et al. (Senate Sponsor - Nichols) H.B. No. 2685  
1-2 (In the Senate - Received from the House May 6, 2009;  
1-3 May 7, 2009, read first time and referred to Committee on State  
1-4 Affairs; May 23, 2009, reported favorably by the following vote:  
1-5 Yeas 8, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the landowner's bill of rights.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 21.0112(a), Property Code, is amended to  
1-11 read as follows:

1-12 (a) Not later than the seventh day before the date [Before]  
1-13 a governmental or private entity with eminent domain authority  
1-14 makes a final offer to [begins negotiating with] a property owner to  
1-15 acquire real property, the entity must send by first-class mail or  
1-16 otherwise provide a landowner's bill of rights statement provided  
1-17 by Section 402.031, Government Code, to the last known address of  
1-18 the person in whose name the property is listed on the most recent  
1-19 tax roll of any appropriate taxing unit authorized by law to levy  
1-20 property taxes against the property. In addition to the other  
1-21 requirements of this subsection, an entity with eminent domain  
1-22 authority shall provide a copy of the landowner's bill of rights  
1-23 statement to a landowner before or at the same time as the entity  
1-24 first represents in any manner to the landowner that the entity  
1-25 possesses eminent domain authority.

1-26 SECTION 2. As soon as practicable after the effective date  
1-27 of this Act, the attorney general's office shall prepare a new  
1-28 landowner's bill of rights statement under Section 402.031,  
1-29 Government Code, as added by Chapter 1201 (H.B. 1495), Acts of the  
1-30 80th Legislature, Regular Session, 2007, to incorporate the general  
1-31 law changes made by the 81st Legislature and any constitutional  
1-32 amendments proposed by the 81st Legislature and approved by the  
1-33 voters. The attorney general's office shall consult with  
1-34 stakeholders regarding the draft of the statement. The statement  
1-35 shall be drafted in plain language.

1-36 SECTION 3. This Act takes effect January 15, 2010.

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