

By: Davis of Dallas

H.J.R. No. 110

A JOINT RESOLUTION

1 proposing a constitutional amendment to require compensation for
2 relocation costs associated with the taking of certain property for
3 a public use.

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

5 SECTION 1. Section 17, Article I, Texas Constitution, is
6 amended by adding Subsection (b-1) to read as follows:

7 (b-1) For the purposes of this section, adequate
8 compensation for the taking of property that is a homestead or farm,
9 if the taking makes relocation of the homestead or farm necessary,
10 includes the cost of relocation from the condemned property to
11 another property that allows the property owner, without the
12 necessity of incurring an amount of debt, debt service, or total
13 projected interest obligation that is higher than the property
14 owner was subject to immediately before the taking to:

15 (1) have a standard of living comparable to the
16 property owner's standard of living immediately before the taking,
17 if the property taken is a homestead; or

18 (2) operate a comparable farm, if the property taken
19 is a farm.

20 SECTION 2. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held November 8, 2011.
22 The ballot shall be printed to permit voting for or against the
23 proposition: "The constitutional amendment to require
24 compensation for homesteads and farms taken in certain

1 circumstances for a public use to include the cost of relocating to
2 a comparable property."