

BILL ANALYSIS

H.B. 2536
By: Harless
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that in Texas, district courts and county courts generally have concurrent jurisdiction in eminent domain cases but that Harris County district court jurisdiction over eminent domain was removed nearly 30 years ago to alleviate a caseload imbalance between the county courts and district courts. The parties assert that since this imbalance no longer exists, providing county courts with exclusive jurisdiction over eminent domain cases has become unnecessary. H.B. 2536 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2536 amends the Government Code to remove the specification that a county civil court at law in Harris County has exclusive jurisdiction over statutory and inverse eminent domain proceedings regardless of the amount in controversy and, instead, to condition such exclusive jurisdiction on the amount in controversy in a statutory proceeding not exceeding \$200,000, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs. The bill authorizes a party initiating a condemnation proceeding in Harris County to file a petition with the district clerk when the amount in controversy exceeds such an amount. The bill establishes that the amount in controversy is the amount of the bona fide offer made by the entity with eminent domain authority to acquire the property from the property owner voluntarily.

EFFECTIVE DATE

September 1, 2015.