

By: Fallon

H.B. No. 3065

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the recovery of costs and fees in connection with
3 certain eminent domain proceedings.

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

5 SECTION 1. Section 21.047, Property Code, is amended by
6 adding Subsection (a-1) to read as follows:

7 (a-1) If the amount of damages awarded by the special
8 commissioners is at least 10 percent greater than the amount of the
9 condemnor's initial offer or if the commissioners' award is
10 appealed and a court awards damages in an amount that is at least 10
11 percent greater than the amount of the condemnor's initial offer,
12 the condemnor shall pay:

13 (1) all costs as provided by Subsection (a); and

14 (2) any reasonable attorney's fees and other
15 professional fees incurred by the property owner in connection with
16 the eminent domain proceeding.

17 SECTION 2. The change in law made by this Act applies only
18 to an eminent domain proceeding commenced on or after the effective
19 date of this Act. An eminent domain proceeding commenced before the
20 effective date of this Act is governed by the law applicable to the
21 proceeding immediately before the effective date of this Act, and
22 that law is continued in effect for that purpose.

23 SECTION 3. This Act takes effect September 1, 2015.