

By: Kolkhorst

S.B. No. 474

A BILL TO BE ENTITLED

AN ACT

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

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

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

(a-1) If the amount of damages awarded by the special commissioners is at least 10 percent greater than the amount the condemnor offered to pay before the proceedings began or if the commissioners' award is appealed and a court awards damages in an amount that is at least 10 percent greater than the amount the condemnor offered to pay before the proceedings began, the condemnor shall pay:

(1) all costs as provided by Subsection (a); and
(2) any reasonable attorney's fees and other professional fees incurred by the property owner in connection with the eminent domain proceeding.

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

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