

1-1 By: Kolkhorst, et al. S.B. No. 474  
 1-2 (In the Senate - Filed February 6, 2015; February 10, 2015,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 March 31, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 2; March 31, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 474 By: Creighton

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the recovery of costs and fees in connection with  
 1-22 certain eminent domain proceedings.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 21.047, Property Code, is amended by  
 1-25 adding Subsection (a-1) to read as follows:

1-26 (a-1) If the amount of damages awarded by the special  
 1-27 commissioners is at least 20 percent greater than the amount the  
 1-28 condemnor offered to pay before the proceedings began or if the  
 1-29 commissioners' award is appealed and a court awards damages in an  
 1-30 amount that is at least 20 percent greater than the amount the  
 1-31 condemnor offered to pay before the proceedings began, the  
 1-32 condemnor shall pay:

1-33 (1) all costs as provided by Subsection (a); and  
 1-34 (2) any reasonable attorney's fees and other  
 1-35 professional fees incurred by the property owner in connection with  
 1-36 the eminent domain proceeding.

1-37 SECTION 2. The change in law made by this Act applies only  
 1-38 to an eminent domain proceeding commenced on or after the effective  
 1-39 date of this Act. An eminent domain proceeding commenced before the  
 1-40 effective date of this Act is governed by the law applicable to the  
 1-41 proceeding immediately before the effective date of this Act, and  
 1-42 that law is continued in effect for that purpose.

1-43 SECTION 3. This Act takes effect September 1, 2015.

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