

By: Perry

S.B. No. 379

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the penalty for noncompliance with certain eminent
3 domain reporting requirements.

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

5 SECTION 1. Sections 2206.155(a), (c), and (e), Government
6 Code, are amended to read as follows:

7 (a) If an entity does not timely submit a report that
8 complies with Section 2206.154, the comptroller shall provide
9 written notice to the entity:

10 (1) informing the entity of the entity's violation of
11 that section; and

12 (2) notifying the entity that the entity will be
13 subject to a penalty of up to \$1,000 if the entity does not report
14 the required information on or before the 30th day after the date
15 the notice is provided.

16 (c) If an entity does not report the required information as
17 prescribed by Subsection (b):

18 (1) the entity is liable to the state for a civil
19 penalty of up to \$1,000; and

20 (2) the comptroller shall provide written notice to
21 the entity:

22 (A) informing the entity of the entity's
23 liability for the penalty; and

24 (B) notifying the entity that if the entity does

1 not report the required information on or before the 30th day after
2 the date the notice is provided:

3 (i) the entity will be subject to an
4 additional penalty of up to \$1,000; and

5 (ii) the entity's noncompliance will be
6 reflected in the eminent domain database maintained by the
7 comptroller.

8 (e) If an entity does not report the required information as
9 prescribed by Subsection (d):

10 (1) the entity is liable to the state for a civil
11 penalty of up to \$1,000; and

12 (2) the comptroller shall:

13 (A) reflect the entity's noncompliance in the
14 database required by this subchapter by including the entity on a
15 separately maintained list of noncomplying entities and in any
16 other manner determined appropriate by the comptroller until the
17 entity reports all information required under Section [2206.154](#); and

18 (B) provide written notice to the entity that the
19 entity's noncompliance will be reflected in the database until the
20 entity reports the required information.

21 SECTION 2. The change in law made by this Act applies only
22 to the failure to submit a report that becomes due on or after the
23 effective date of this Act. The failure to submit a report that
24 became due before the effective date of this Act is governed by the
25 law as it existed immediately before the effective date of this Act,
26 and that law is continued in effect for that purpose.

27 SECTION 3. This Act takes effect September 1, 2017.