

By: Schwertner, et al.

S.B. No. 626

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition of certain real property in conjunction with the acquisition of real property for a public use through eminent domain procedures.

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

SECTION 1. Section 402.031, Government Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The statement must disclose that a condemning entity that makes a bona fide offer under Chapter 21, Property Code, to acquire from the property owner real property for a public use must:

(1) make a separate offer to acquire from the owner any of the owner's other real property the entity wants to acquire that is not reasonably necessary to complete the public use of the property for which the bone fide offer is made; and

(2) include a statement in the separate offer that the property that is the subject of the separate offer is not subject to condemnation by the entity.

SECTION 2. Subchapter B, Chapter 21, Property Code, is amended by adding Section 21.0114 to read as follows:

Sec. 21.0114. OFFER TO ACQUIRE ADDITIONAL PROPERTY. In conjunction with a bona fide offer to acquire real property for a public use under Section 21.0113, an entity with eminent domain authority must:

(1) make a separate offer to acquire from a property

1 owner any of the owner's other real property the entity wants to
2 acquire that is not reasonably necessary to complete the public use
3 of the property for which the bona fide offer is made under Section
4 [21.0113](#); and

5 (2) include a statement in the offer under Subdivision
6 (1) that the property that is the subject of that offer is not
7 subject to acquisition through eminent domain.

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