

BILL ANALYSIS

H.B. 2831
By: Canales
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

When a property is condemned through the eminent domain process in Texas, it has been noted that a condemning authority must appoint a special commissioners court presided over by a county court at law judge or a district court judge. Each party to an eminent domain proceeding is entitled to written notice issued by the special commissioners, informing each party of the time and place of the hearing. There are concerns that this process does not allow the use of certain types of service or certified mail to provide the notice. H.B. 2831 seeks to address this issue by providing for certain delivery options for a copy of the notice.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2831 amends the Property Code to revise the methods by which a notice informing each party in an eminent domain hearing of the time and place of the hearing may be served by restricting the service to delivery to the party or to the party's agent or attorney or in another manner provided by the Texas Rules of Civil Procedure for service of citation.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.