

By: Canales

H.B. No. 2831

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the service of notice of a special commissioners'  
3 hearing in an eminent domain proceeding.

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

5 SECTION 1. Section 21.016(d), Property Code, is amended to  
6 read as follows:

7 (d) Notice may be served[+

8 [~~(1)~~] by delivering a copy of the notice to the party  
9 or to the party's agent or attorney or in another manner provided by  
10 the Texas Rules of Civil Procedure for service of citation [+

11 [~~(2) if the property being condemned belongs to a~~  
12 ~~deceased's estate or to a minor or other legally disabled person and~~  
13 ~~the person or estate has a legal representative, by delivering a~~  
14 ~~copy of the notice to the legal representative, or~~

15 [~~(3) if the property being condemned belongs to a~~  
16 ~~nonresident of this state and there has been no personal service on~~  
17 ~~the owner, if the identity or the residence of the property owner is~~  
18 ~~unknown, or if the property owner avoids service of notice by~~  
19 ~~hiding, by publication in the same manner as service of citation by~~  
20 ~~publication in other civil cases in the district courts or county~~  
21 ~~courts at law].~~

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.