By: Schwertner, et al.   S.B. No. 553

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the acquisition of certain real property in conjunction

3 with the acquisition of real property for a public use through

4 eminent domain procedures.

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

6   SECTION 1. Section 402.031, Government Code, is amended by

7 adding Subsection (c-1) to read as follows:

8   (c-1) The statement must disclose that a condemning entity,

9 other than an entity acquiring property as authorized under

10 Subchapter D, Chapter 203, Transportation Code, that makes an

11 initial offer under Section 21.0113, Property Code, that includes

12 real property that the entity does not seek to acquire by

13 condemnation shall in the initial offer:

14   (1) separately identify the real property that the

15 entity does not seek to acquire by condemnation; and

16   (2) make an offer for the real property that the entity

17 does not seek to acquire by condemnation separate from the offer

18 made for the real property sought to be acquired by condemnation.

19   SECTION 2. Subchapter B, Chapter 21, Property Code, is

20 amended by adding Section 21.0114 to read as follows:

21   Sec. 21.0114. OFFER   TO   ACQUIRE   ADDITIONAL   PROPERTY;

22 EXCEPTION. (a) Except as provided by Subsection (b), a condemning

23 entity that makes an initial offer under Section 21.0113 that

24 includes real property that the entity does not seek to acquire by

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1 condemnation shall in the initial offer:

2   (1) separately identify the real property that the

3 entity does not seek to acquire by condemnation; and

4   (2) make an offer for the real property that the entity

5 does not seek to acquire by condemnation separate from the offer

6 made for the real property sought to be acquired by condemnation.

7   (b) Subsection (a) does not apply to an acquisition of real

8 property under Subchapter D, Chapter 203, Transportation Code.

9   SECTION 3. This Act takes effect September 1, 2019.