

Amend CSHB 448 (house committee report) as follows:

(1) On page 1, lines 22 and 23, strike "ombudsman office established by the".

(2) On page 1, line 24, strike "1101.207" and substitute "1101.205".

(3) On page 2, line 1, strike "representative" and substitute "registered easement or right-of-way agent acting on behalf".

(4) On page 2, line 1, strike "while exercising the entity's" and substitute "exercising".

(5) Strike page 2, line 3, through page 3, line 22, and substitute the following:

SECTION 2. Section 21.0112(a), Property Code, is amended to read as follows:

(a) At or before the time that [~~Not later than the seventh day before the date~~] a governmental or private entity with eminent domain authority makes an initial [~~a final~~] offer to a property owner to acquire real property, the entity must send by first-class mail or otherwise provide a landowner's bill of rights statement provided by Section 402.031, Government Code, to the last known address of the person in whose name the property is listed on the most recent tax roll of any appropriate taxing unit authorized by law to levy property taxes against the property. In addition to the other requirements of this subsection, an entity with eminent domain authority shall provide a copy of the landowner's bill of rights statement to a landowner before or at the same time as the entity first represents in any manner to the landowner that the entity possesses eminent domain authority.

SECTION 3. Section 21.0113(b), Property Code, is amended to read as follows:

(b) An entity with eminent domain authority has made a bona fide offer if:

(1) an initial offer is made in writing to a property owner;

(2) a landowner's bill of rights statement is provided to the property owner in accordance with Section 21.0112(a);

(3) a final offer is made in writing to the property

owner;

(4) [~~(3)~~] the final offer is made on or after the 30th day after the date on which the entity makes a written initial offer to the property owner;

(5) [~~(4)~~] before making a final offer, the entity obtains a written appraisal from a certified appraiser of the value of the property being acquired and the damages, if any, to any of the property owner's remaining property;

(6) [~~(5)~~] the final offer is equal to or greater than the amount of the written appraisal obtained by the entity;

(7) [~~(6)~~] the following items are included with the final offer or have been previously provided to the owner by the entity:

(A) a copy of the written appraisal; and

(B) a copy of the deed, easement, or other instrument conveying the property sought to be acquired; and

~~[(C) the landowner's bill of rights statement prescribed by Section 21.0112; and]~~

(8) [~~(7)~~] the entity provides the property owner with at least 14 days to respond to the final offer and the property owner does not agree to the terms of the final offer within that period.

(6) On page 3, line 23, strike "(a)".

(7) On page 4, strike lines 1 through 6.

(8) Add the following appropriately numbered SECTION to the bill and renumber SECTIONS and cross-references to SECTIONS appropriately:

SECTION _____. Sections 21.0112(a) and 21.0113(b), Property Code, as amended by this Act, apply only to the acquisition of real property in connection with an initial offer made under Section 21.0113, Property Code, on or after January 1, 2022. The acquisition of real property in connection with an initial offer made under Section 21.0113, Property Code, before January 1, 2022, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.