

## **BILL ANALYSIS**

C.S.H.B. 4186  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In Texas, an entity making a bona fide offer for the acquisition of real property for public use should obtain a written appraisal from a certified appraiser. However, what constitutes the requisite certification is unclear. Concerns have been raised regarding the appraisals required for these eminent domain acquisitions. It has been suggested that there is lack of clarity regarding what type of written appraisals suffice, including whether certification without certain credentials or out-of-state certification is sufficient. C.S.H.B. 4186 seeks to remedy this situation by clearly outlining what constitutes a valid written appraisal for such an acquisition.

### **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**

C.S.H.B. 4186 amends the Property Code to specify that the written appraisal required to be obtained by an entity with eminent domain authority as a condition of making a final bona fide offer to acquire real property is from a person certified under the Texas Appraiser Licensing and Certification Act as a certified general or certified residential appraiser.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4186 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the original required the final offer to be written by a certified appraiser licensed under the act, the substitute specifies that the written appraisal required for a final offer is from such a certified appraiser. The substitute includes a saving provision that did not appear in the original to account for that change.