

## **BILL ANALYSIS**

S.B. 291  
By: Schwertner  
Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, an entity with eminent domain authority that wants to acquire real property for a public use is required to disclose all appraisal reports produced or acquired by the entity relating specifically to the owner's property and prepared in the 10 years preceding the date of the offer. The bill sponsor has informed the committee that there is no effective enforcement mechanism for ensuring that the entity complies with this requirement. S.B. 291 seeks to provide for such a mechanism.

### **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**

S.B. 291 amends the Property Code to make an entity with eminent domain authority that wants to acquire real property for a public use that fails to disclose, by certified mail, return receipt requested, to the property owner at the time an offer to purchase or lease the property is made any and all appraisal reports produced or acquired by the entity relating specifically to the owner's property and prepared in the 10 years preceding the date of the offer liable to the owner for reasonable attorney's fees incurred by the owner to obtain such a disclosure.

S.B. 291 applies only to the acquisition of real property in connection with a bona fide initial offer made on or after the bill's effective date. An acquisition of real property in connection with such an offer made before such date is governed by the law applicable to the acquisition immediately before the bill's effective date, and that law is continued in effect for that purpose.

### **EFFECTIVE DATE**

September 1, 2025.