AN ACT

relating to the right to repurchase from a condemning entity certain real property for which ad valorem taxes are delinquent.

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

SECTION 1. Section 21.101(a), Property Code, is amended to read as follows:

(a) A person from whom a real property interest is acquired by an entity through eminent domain for a public use, or that person's heirs, successors, or assigns, is entitled to repurchase the property as provided by this subchapter if:

(1) the public use for which the property was acquired through eminent domain is canceled before the property is used for that public use;

(2) no actual progress is made toward the public use for which the property was acquired between the date of acquisition and the 10th anniversary of that date; [~~or~~]

(3) the property becomes unnecessary for the public use for which the property was acquired, or a substantially similar public use, before the 10th anniversary of the date of acquisition;

(4) the entity that acquired the property through eminent domain:

(A) has an obligation to pay ad valorem taxes on the acquired property;

(B) has received a tax bill from the taxing

authority for the ad valorem taxes on the acquired property; and

(C) has failed to pay any ad valorem taxes on the acquired property before the third anniversary of the date on which the unpaid taxes became due; or

(5) the entity:

(A) acquired through eminent domain a fee simple interest in the property;

(B) has an obligation to pay ad valorem taxes on the acquired property;

(C) has received a tax bill from the taxing authority for the ad valorem taxes on the acquired property; and

(D) has failed to pay any ad valorem taxes on the acquired property before the third anniversary of the date on which the unpaid taxes became due.

SECTION 2. Section 21.102, Property Code, is amended to read as follows:

Sec. 21.102. NOTICE TO PREVIOUS PROPERTY OWNER REQUIRED. Not later than the 180th day after the date an entity that acquired a real property interest through eminent domain determines that the former property owner is entitled to repurchase the property under Section 21.101, the entity shall send by certified mail, return receipt requested, to the property owner or the owner's heirs, successors, or assigns a notice containing:

(1) an identification, which is not required to be a legal description, of the property that was acquired;

(2) an identification of the public use for which the property had been acquired and a statement that:

(A) the public use was canceled before the property was used for the public use;

(B) no actual progress was made toward the public use; [~~or~~]

(C) the property became unnecessary for the public use, or a substantially similar public use, before the 10th anniversary of the date of acquisition; or

(D) ad valorem taxes due on the property have not been paid by the entity before the third anniversary of the date on which the taxes became due; and

(3) a description of the person's right under this subchapter to repurchase the property.

SECTION 3. Section 21.1021, Property Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) If a property owner's real property was acquired by an entity that is responsible for paying ad valorem taxes on the acquired property, the property owner from whom the property was acquired or the owner's heirs, successors, or assigns may request at any time after the 18-month anniversary of the acquisition, but not more than once annually, that the condemning entity make a determination and provide a statement and other relevant information regarding:

(1) whether all ad valorem taxes on the acquired property have been paid; or

(2) if any ad valorem taxes on the acquired property have not been paid:

(A) the amount of the unpaid ad valorem taxes;

(B) each due date of any unpaid ad valorem taxes; and

(C) whether the entity has a good faith intention to pay the unpaid ad valorem taxes.

(a-2) If a fee simple interest in a property owner's real property was acquired by an entity that is responsible for paying ad valorem taxes on the acquired property and the acquired property is undeveloped, the property owner from whom the property was acquired or the owner's heirs, successors, or assigns may request at any time after the 18-month anniversary of the acquisition and before the 10th anniversary of the acquisition, but not more than once annually, that the condemning entity make a determination and provide a statement and other relevant information regarding:

(1) whether all ad valorem taxes on the acquired property have been paid; or

(2) if any ad valorem taxes on the acquired property have not been paid:

(A) the amount of the unpaid ad valorem taxes;

(B) each due date of any unpaid ad valorem taxes; and

(C) whether the entity has a good faith intention to pay the unpaid ad valorem taxes.

SECTION 4. Section 21.103, Property Code, is amended to read as follows:

Sec. 21.103. RESALE OF PROPERTY; PRICE. (a) Not later than the 180th day after the date of the postmark on a notice sent under Section 21.102 or a response to a request made under Section 21.1021

that indicates that the property owner, or the owner's heirs, successors, or assigns, is entitled to repurchase the property interest in accordance with Section 21.101, the property owner or the owner's heirs, successors, or assigns must notify the entity of the person's intent to repurchase the property interest under this subchapter.

(a-1) Notwithstanding Subsection (a), a person entitled to repurchase real property under Section 21.101(a)(4) or (5) may inform the entity that acquired the property of the person's intent to repurchase the property before notice or information is required or provided under Section 21.102 or 21.1021.

(b) As soon as practicable after receipt of a notice of intent to repurchase under this section [~~Subsection (a)~~], the entity shall offer to sell the property interest to the person for the price paid to the owner by the entity at the time the entity acquired the property through eminent domain. The person's right to repurchase the property expires on the 90th day after the date on which the entity makes the offer.

SECTION 5. Subchapter E, Chapter 21, Property Code, as amended by this Act, applies only to a condemnation proceeding in which the petition is filed on or after the effective date of this Act and to any property condemned through the proceeding. A condemnation proceeding in which the petition is filed before the effective date of this Act and any property condemned through the proceeding are governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I certify that H.B. No. 2011 was passed by the House on May 14, 2025, by the following vote: Yeas 136, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2011 on May 27, 2025, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2011 on May 31, 2025, by the following vote: Yeas 133, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2011 was passed by the Senate, with amendments, on May 23, 2025, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2011 on May 30, 2025, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: _____

Date

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Governor