

1 AN ACT

2 relating to the use of eminent domain authority.

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

4 SECTION 1. Chapter 2206, Government Code, is amended to
5 read as follows:

6 CHAPTER 2206. [~~LIMITATIONS ON USE OF~~] EMINENT DOMAIN

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 2206.001. DEFINITION OF PUBLIC USE. Except as
9 otherwise provided by this chapter, "public use," with respect to
10 the use of eminent domain authority, means a use of property,
11 including a use described by Section 2206.051(c), that allows the
12 state, a political subdivision of the state, or the general public
13 of the state to possess, occupy, and enjoy the property.

14 SUBCHAPTER B. LIMITATIONS ON PURPOSE AND USE OF PROPERTY

15 ACQUIRED THROUGH EMINENT DOMAIN

16 Sec. 2206.051. LIMITATION ON EMINENT DOMAIN FOR PRIVATE
17 PARTIES OR ECONOMIC DEVELOPMENT PURPOSES. (a) This section
18 applies to the use of eminent domain under the laws of this state,
19 including a local or special law, by any governmental or private
20 entity, including:

21 (1) a state agency, including an institution of higher
22 education as defined by Section 61.003, Education Code;

23 (2) a political subdivision of this state; or

24 (3) a corporation created by a governmental entity to

1 act on behalf of the entity.

2 (b) A governmental or private entity may not take private
3 property through the use of eminent domain if the taking:

4 (1) confers a private benefit on a particular private
5 party through the use of the property;

6 (2) is for a public use that is merely a pretext to
7 confer a private benefit on a particular private party; ~~or~~

8 (3) is for economic development purposes, unless the
9 economic development is a secondary purpose resulting from
10 municipal community development or municipal urban renewal
11 activities to eliminate an existing affirmative harm on society
12 from slum or blighted areas under:

13 (A) Chapter 373 or 374, Local Government Code,
14 other than an activity described by Section 373.002(b)(5), Local
15 Government Code; or

16 (B) Section 311.005(a)(1)(I), Tax Code; or

17 (4) is not for a public use.

18 (c) This section does not affect the authority of an entity
19 authorized by law to take private property through the use of
20 eminent domain for:

21 (1) transportation projects, including, but not
22 limited to, railroads, airports, or public roads or highways;

23 (2) entities authorized under Section 59, Article XVI,
24 Texas Constitution, including:

25 (A) port authorities;

26 (B) navigation districts; and

27 (C) any other conservation or reclamation

1 districts that act as ports;

2 (3) water supply, wastewater, flood control, and
3 drainage projects;

4 (4) public buildings, hospitals, and parks;

5 (5) the provision of utility services;

6 (6) a sports and community venue project approved by
7 voters at an election held on or before December 1, 2005, under
8 Chapter 334 or 335, Local Government Code;

9 (7) the operations of:

10 (A) a common carrier pipeline [~~subject to Chapter~~
11 ~~111, Natural Resources Code, and Section B(3)(b), Article 2.01,~~
12 ~~Texas Business Corporation Act~~]; or

13 (B) an energy transporter, as that term is
14 defined by Section 186.051, Utilities Code;

15 (8) a purpose authorized by Chapter 181, Utilities
16 Code;

17 (9) underground storage operations subject to Chapter
18 91, Natural Resources Code;

19 (10) a waste disposal project; or

20 (11) a library, museum, or related facility and any
21 infrastructure related to the facility.

22 (d) This section does not affect the authority of a
23 governmental entity to condemn a leasehold estate on property owned
24 by the governmental entity.

25 (e) The determination by the governmental or private entity
26 proposing to take the property that the taking does not involve an
27 act or circumstance prohibited by Subsection (b) does not create a

1 presumption with respect to whether the taking involves that act or
2 circumstance.

3 Sec. 2206.052. LIMITATIONS ON EASEMENTS. (a) A property
4 owner whose property is acquired through the use of eminent domain
5 under Chapter 21, Property Code, for the purpose of creating an
6 easement through that owner's property may construct streets or
7 roads, including a gravel, asphalt, or concrete road, at any
8 locations above the easement that the property owner chooses.

9 (b) The portion of a road constructed under this section
10 that is over the easement may not exceed 40 feet in width.

11 SUBCHAPTER C. PROCEDURES REQUIRED TO INITIATE
12 EMINENT DOMAIN PROCEEDINGS

13 Sec. 2206.101. SHORT TITLE. This subchapter may be cited as
14 the Truth in Condemnation Procedures Act.

15 Sec. 2206.102. APPLICABILITY. The procedures in this
16 subchapter apply only to the use of eminent domain under the laws of
17 this state by a governmental entity.

18 Sec. 2206.103. VOTE ON USE OF EMINENT DOMAIN. (a) Before a
19 governmental entity initiates a condemnation proceeding by filing a
20 petition under Section 21.012, Property Code, the governmental
21 entity must authorize the initiation of the condemnation
22 proceedings at a public meeting by a record vote. If the motion
23 required by Subsection (c) indicates that the first record vote
24 applies to all units of property to be condemned, and the minutes of
25 the entity reflect that the first vote applies to all of those
26 units, a single ordinance, resolution, or order may be adopted for
27 all of those units of property. If more than one member of the

1 governing body objects to adopting a single ordinance, resolution,
2 or order by a record vote for all units of property for which
3 condemnation proceedings are to be initiated, a separate record
4 vote must be taken for each unit of property.

5 (b) For the purposes of Subsection (a), if two or more units
6 of real property are owned by the same person, the governmental
7 entity may treat those units of property as one unit of property.

8 (c) The motion to adopt an ordinance, resolution, or order
9 authorizing the initiation of condemnation proceedings under
10 Chapter 21, Property Code, must be made in a form substantially
11 similar to the following: "I move that the (name of governmental
12 entity) authorize the use of the power of eminent domain to acquire
13 (describe the property) for (describe the public use)." The
14 description of the property required by this subsection is
15 sufficient if the description of the location of and interest in the
16 property that the governmental entity seeks to acquire is
17 substantially similar to the description that is or could properly
18 be used in a petition to condemn the property under Section 21.012,
19 Property Code.

20 (d) If a project for a public use described by Section
21 2206.051(c)(3) will require a governmental entity to acquire
22 multiple tracts or units of property to construct facilities
23 connecting one location to another location, the governing body of
24 the entity may adopt a single ordinance, resolution, or order by a
25 record vote that delegates the authority to initiate condemnation
26 proceedings to the chief administrative official of the
27 governmental entity.

1 (e) An ordinance, resolution, or order adopted under
2 Subsection (d) is not required to identify specific properties that
3 the governmental entity will acquire. The ordinance, resolution,
4 or order must identify the general area to be covered by the project
5 or the general route that will be used by the governmental entity
6 for the project in a way that provides property owners in and around
7 the area or along the route reasonable notice that the owners'
8 properties may be subject to condemnation proceedings during the
9 planning or construction of the project.

10 SECTION 2. Subchapter B, Chapter 21, Property Code, is
11 amended by adding Section 21.0112 to read as follows:

12 Sec. 21.0112. BONA FIDE OFFER REQUIRED. An entity with
13 eminent domain authority that wants to acquire real property for a
14 public use must make a bona fide offer to acquire the property from
15 the property owner voluntarily. A bona fide offer is an offer that
16 is not arbitrary or capricious and is based on a reasonably thorough
17 investigation and honest assessment of the amount of the just
18 compensation due to the landowner as a result of the taking.

19 SECTION 3. Section 21.012(b), Property Code, is amended to
20 read as follows:

21 (b) The petition must:

- 22 (1) describe the property to be condemned;
- 23 (2) state the purpose for which the entity intends to
24 use the property;
- 25 (3) state the name of the owner of the property if the
26 owner is known; ~~and~~
- 27 (4) state that the entity and the property owner are

1 unable to agree on the damages; and

2 (5) state that the entity made a bona fide offer to
3 acquire the property from the property owner voluntarily.

4 SECTION 4. Section 21.023, Property Code, is amended to
5 read as follows:

6 Sec. 21.023. DISCLOSURE OF INFORMATION REQUIRED AT TIME OF
7 ACQUISITION. A governmental entity shall disclose in writing to
8 the property owner, at the time of acquisition of the property
9 through eminent domain, that:

10 (1) the owner or the owner's heirs, successors, or
11 assigns are entitled to repurchase the property if the public use
12 for which the property was acquired through eminent domain is
13 canceled before the 10th anniversary of the date of acquisition;
14 and

15 (2) the repurchase price is the price paid to the owner
16 by the governmental entity at the time the governmental entity
17 acquired the property through eminent domain [~~fair market value of~~
18 ~~the property at the time the public use was canceled~~].

19 SECTION 5. Subchapter B, Chapter 21, Property Code, is
20 amended by adding Section 21.024 to read as follows:

21 Sec. 21.024. PRODUCTION OF INFORMATION BY CERTAIN ENTITIES.

22 (a) Notwithstanding any other law, an entity that is not subject to
23 Chapter 552, Government Code, and is authorized by law to acquire
24 private property through the use of eminent domain is required to
25 produce information as provided by this section if the information
26 is:

27 (1) requested by a person who owns property that is the

1 subject of a proposed or existing eminent domain proceeding; and
2 (2) related to the taking of the person's private
3 property by the entity through the use of eminent domain.

4 (b) An entity described by Subsection (a) is required under
5 this section only to produce information relating to the
6 condemnation of the specific property owned by the requestor as
7 described in the request. A request under this section must contain
8 sufficient details to allow the entity to identify the specific
9 tract of land in relation to which the information is sought.

10 (c) The entity shall respond to a request in accordance with
11 the Texas Rules of Civil Procedure as if the request was made in a
12 matter pending before a state district court.

13 (d) Exceptions to disclosure provided by this chapter and
14 the Texas Rules of Civil Procedure apply to the disclosure of
15 information under this section.

16 (e) Jurisdiction to enforce the provisions of this section
17 resides in:

18 (1) the court in which the condemnation was initiated;
19 or

20 (2) if the condemnation proceeding has not been
21 initiated:

22 (A) a court that would have jurisdiction over a
23 proceeding to condemn the requestor's property; or

24 (B) a court with eminent domain jurisdiction in
25 the county in which the entity has its principal place of business.

26 (f) If the entity refuses to produce information requested
27 in accordance with this section and the court determines that the

1 refusal violates this section, the court may award the requestor's
2 reasonable attorney's fees incurred to compel the production of the
3 information.

4 (g) If an entity that received a request in accordance with
5 this section does not produce the requested information on or
6 before the 30th day after the request is made, the attorney general
7 may file an action in a court described by Subsection (e) to enforce
8 this section on the request of the person who made the request for
9 the information. If the court determines that the failure to
10 produce the information is a violation of this section, the court
11 may award the attorney general's reasonable expenses incurred to
12 compel the production of the information.

13 (h) If the attorney general files an action under Subsection
14 (g), the person who requested that the attorney general file the
15 action may not file a private action to enforce this section with
16 respect to the same request for information.

17 SECTION 6. Section 21.041, Property Code, is amended to
18 read as follows:

19 Sec. 21.041. EVIDENCE. (a) For the purposes of this
20 section, market value is the price a property will bring when
21 offered for sale by a person who desires to sell the property, but
22 is not obliged to sell the property, and is bought by a person who
23 desires to buy the property, but is not under a necessity to buy the
24 property.

25 (b) As the basis for assessing actual damages to a property
26 owner from a condemnation, the special commissioners shall, subject
27 to the Texas Rules of Evidence, admit evidence on:

1 (1) the market value, before the condemnation, of the
2 property being condemned;

3 (2) subject to Section 21.042, the net change to the
4 market value of [the injury to the property owner,

5 ~~(3) the benefit to]~~ the property owner's remaining
6 property, considering both injury and benefit to the property
7 owner; and

8 (3) ~~(4)]~~ the use of the property for the purpose of
9 the condemnation.

10 SECTION 7. Section 21.042(e), Property Code, is amended to
11 read as follows:

12 (e) If a portion of a tract or parcel of real property is
13 condemned for the use, construction, operation, or maintenance of
14 the state highway system or of a county toll project described by
15 Chapter 284, Transportation Code, that is eligible for designation
16 as part of the state highway system, the special commissioners
17 shall consider any diminished access to the highway and to or from
18 the remaining property to the extent that it affects the present
19 market value of the real property, including any factors considered
20 when determining actual fair market value of property for ad
21 valorem tax purposes ~~[or for the use, construction, development,~~
22 ~~operation, or maintenance of an improvement or project by a~~
23 ~~metropolitan rapid transit authority created before January 1,~~
24 ~~1980, with a principal municipality having a population of less~~
25 ~~than 1.9 million and established under Chapter 451, Transportation~~
26 ~~Code, the special commissioners shall determine the damage to the~~
27 ~~property owner regardless of whether the property owner makes a~~

1 ~~claim for damages to the remaining property. In awarding~~
2 ~~compensation or assessing the damages, the special commissioners~~
3 ~~shall consider any special and direct benefits that arise from the~~
4 ~~highway improvement or the transit authority improvement or project~~
5 ~~that are peculiar to the property owner and that relate to the~~
6 ~~property owner's ownership, use, or enjoyment of the particular~~
7 ~~parcel of remaining real property].~~

8 SECTION 8. Sections 21.046(a) and (b), Property Code, are
9 amended to read as follows:

10 (a) A department, agency, instrumentality, or political
11 subdivision of this state shall [~~may~~] provide a relocation advisory
12 service for an individual, a family, a business concern, a farming
13 or ranching operation, or a nonprofit organization that [~~if the~~
14 ~~service~~] is compatible with the Federal Uniform Relocation
15 Assistance Advisory Program, 23 U.S.C.A. 501, et seq.

16 (b) This state or a political subdivision of this state
17 shall [~~may~~], as a cost of acquiring real property, pay moving
18 expenses and rental supplements, make relocation payments, provide
19 financial assistance to acquire replacement housing, and
20 compensate for expenses incidental to the transfer of the property
21 if an individual, a family, the personal property of a business, a
22 farming or ranching operation, or a nonprofit organization is
23 displaced in connection with the acquisition.

24 SECTION 9. The heading to Section 21.047, Property Code, is
25 amended to read as follows:

26 Sec. 21.047. ASSESSMENT OF COSTS AND FEES.

27 SECTION 10. Section 21.047, Property Code, is amended by

1 adding Subsection (d) to read as follows:

2 (d) If a court hearing a suit under this chapter determines
3 that a condemning entity did not make a bona fide offer to acquire
4 the property from the property owner voluntarily as required by
5 Section 21.0112, the court shall abate the suit and order the
6 condemnor to make a bona fide offer. If the court finds that by
7 filing a petition under Section 21.012 or by filing any other motion
8 or pleading in the proceeding initiated by the filing of that
9 petition the condemnor violated Chapter 10, Civil Practice and
10 Remedies Code, the court shall order the condemnor to pay:

- 11 (1) all costs as provided by Subsection (a); and
12 (2) any reasonable attorney's fees incurred by the
13 owner that are directly related to the violation.

14 SECTION 11. Section 21.101(a), Property Code, is amended to
15 read as follows:

16 (a) Except as provided in Subsection (b), this subchapter
17 applies only to a real property interest acquired by a governmental
18 entity other than a port that is acquiring property for deep water
19 navigation through eminent domain for a public use. A person from
20 whom the property interest is acquired or that person's heirs,
21 successors, or assigns are entitled to repurchase the property as
22 provided by this subchapter if that public use was canceled before
23 the 10th anniversary of the date of acquisition or the governmental
24 entity fails to begin the operation or construction of the project
25 for which the property was acquired before the 10th anniversary of
26 that date.

27 SECTION 12. Section 21.102, Property Code, is amended to

1 read as follows:

2 Sec. 21.102. NOTICE TO PREVIOUS PROPERTY OWNER AT TIME OF
3 CANCELLATION OF PUBLIC USE OR ON FAILURE TO BEGIN OPERATION OR
4 CONSTRUCTION OF PROJECT. Not later than the 180th day after the
5 date of the cancellation of the public use for which real property
6 was acquired through eminent domain from a property owner under
7 Subchapter B or the 180th day after the 10th anniversary of the date
8 on which the property was acquired if the governmental entity fails
9 to begin the operation or construction of the project for which the
10 property was acquired before the 10th anniversary of that date, the
11 governmental entity shall send by certified mail, return receipt
12 requested, to the property owner or the owner's heirs, successors,
13 or assigns a notice containing:

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

16 (2) an identification of the public use for which the
17 property had been acquired and a statement that the public use has
18 been canceled or the governmental entity has failed to begin the
19 operation or construction of the project for which the property was
20 acquired; and

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

23 SECTION 13. Section 21.103(b), Property Code, is amended to
24 read as follows:

25 (b) As soon as practicable after receipt of a [~~the~~]
26 notification under Subsection (a), the governmental entity shall
27 offer to sell the property interest to the person for the price paid

1 to the owner by the governmental entity at the time the governmental
2 entity acquired the property through eminent domain [~~fair market~~
3 ~~value of the property at the time the public use was canceled~~]. The
4 person's right to repurchase the property expires on the 90th day
5 after the date on which the governmental entity makes the offer.

6 SECTION 14. Subchapter B, Chapter 111, Natural Resources
7 Code, is amended by adding Section 111.0195 to read as follows:

8 Sec. 111.0195. RIGHT OF EMINENT DOMAIN: ADDITIONAL
9 PROCEDURES. (a) This section applies only to a condemnation
10 proceeding initiated by a common carrier, as that term is defined by
11 Section 111.002.

12 (b) A common carrier that intends to exercise the power of
13 eminent domain must serve the owner of the property to be acquired
14 with notice that the common carrier intends to initiate
15 condemnation proceedings on or before the date the common carrier
16 files a condemnation petition.

17 (c) The special commissioners in an eminent domain
18 proceeding to which this section applies:

19 (1) may not schedule a hearing to assess damages
20 before the 30th day after the date of the special commissioners'
21 appointment; and

22 (2) must serve a property owner with notice informing
23 the property owner of the time and place of the hearing not later
24 than the 21st day before the date set for the hearing.

25 (d) A court that has jurisdiction over a condemnation
26 proceeding may appoint a replacement special commissioner if:

27 (1) the property owner or the common carrier objects

1 to the appointment of a special commissioner by filing a written
2 statement of the person's objections on the grounds of:

3 (A) a conflict of interest; or

4 (B) other good cause; and

5 (2) the court determines in a hearing that good cause
6 is shown.

7 (e) The special commissioners may delay scheduling a
8 hearing for a reasonable period if, by motion to the court that has
9 jurisdiction over the condemnation proceeding, the property owner
10 requests and is granted a delay by the court for good cause shown.

11 (f) A notice required under this section must be served by:

12 (1) regular mail; and

13 (2) certified mail, return receipt requested, to the
14 property owner.

15 (g) A common carrier has the burden of proof to establish
16 that notice was provided as required by Subsection (b).

17 SECTION 15. Subchapter G, Chapter 13, Water Code, is
18 amended by adding Section 13.258 to read as follows:

19 Sec. 13.258. EMINENT DOMAIN. (a) A water and sewer utility
20 that is operating in accordance with its certificate of convenience
21 and necessity may acquire by condemnation only easements or lesser
22 property interests reasonably necessary to comply with federal and
23 state regulations relating to sanitation.

24 (b) The water and sewer utility shall exercise the power of
25 eminent domain in the manner provided by Chapter 21, Property Code.

26 (c) The water and sewer utility may not exercise the power
27 of eminent domain to condemn land to acquire rights to underground

1 water or for water or water rights.

2 (d) A water and sewer utility may not exercise the power of
3 eminent domain in a municipality with a population of more than 1.7
4 million or in the municipality's extraterritorial jurisdiction to
5 condemn land in which the municipality owns a fee, easement, or
6 lesser property interest.

7 SECTION 16. Section 101.061, Government Code, is amended to
8 read as follows:

9 Sec. 101.061. DISTRICT COURT FEES AND COSTS. The clerk of a
10 district court shall collect fees and costs as follows:

11 (1) filing fee in action with respect to a fraudulent
12 court record or fraudulent lien or claim filed against property
13 (Sec. 12.005, Civil Practice and Remedies Code) . . . \$15;

14 (2) fee for service of notice of action with respect to
15 a fraudulent court record or fraudulent lien or claim filed against
16 property (Sec. 12.005, Civil Practice and Remedies Code) . . . not
17 to exceed \$20, if notice delivered in person, or the cost of
18 postage, if service is by registered or certified mail;

19 (3) court cost in certain civil cases to establish and
20 maintain an alternative dispute resolution system, if authorized by
21 the county commissioners court (Sec. 152.004, Civil Practice and
22 Remedies Code) . . . not to exceed \$10;

23 (4) appellate judicial system filing fees for:

24 (A) First or Fourteenth Court of Appeals District
25 (Sec. 22.2021, Government Code) . . . not more than \$5;

26 (B) Second Court of Appeals District (Sec.
27 22.2031, Government Code) . . . not more than \$5;

1 (C) Fourth Court of Appeals District (Sec.
2 22.2051, Government Code) . . . not more than \$5;

3 (D) Fifth Court of Appeals District (Sec.
4 22.2061, Government Code) . . . not more than \$5; and

5 (E) Thirteenth Court of Appeals District (Sec.
6 22.2141, Government Code) . . . not more than \$5;

7 (5) additional filing fees:

8 (A) for each suit filed for insurance contingency
9 fund, if authorized by the county commissioners court (Sec. 51.302,
10 Government Code) . . . not to exceed \$5;

11 (B) for each civil suit filed, for court-related
12 purposes for the support of the judiciary and for civil legal
13 services to an indigent:

14 (i) for family law cases and proceedings as
15 defined by Section 25.0002, Government Code (Sec. 133.151, Local
16 Government Code) . . . \$45; or

17 (ii) for any case other than a case
18 described by Subparagraph (i) (Sec. 133.151, Local Government Code)
19 . . . \$50;

20 (C) to fund the improvement of Dallas County
21 civil court facilities, if authorized by the county commissioners
22 court (Sec. 51.705, Government Code) . . . not more than \$15; and

23 (D) on the filing of any civil action or
24 proceeding requiring a filing fee, including an appeal, and on the
25 filing of any counterclaim, cross-action, intervention,
26 interpleader, or third-party action requiring a filing fee, to fund
27 civil legal services for the indigent:

1 (i) for family law cases and proceedings as
2 defined by Section 25.0002, Government Code (Sec. 133.152, Local
3 Government Code) . . . \$5; or

4 (ii) for any case other than a case
5 described by Subparagraph (i) (Sec. 133.152, Local Government Code)
6 . . . \$10;

7 (6) for filing a suit, including an appeal from an
8 inferior court:

9 (A) for a suit with 10 or fewer plaintiffs (Sec.
10 51.317, Government Code) . . . \$50;

11 (B) for a suit with at least 11 but not more than
12 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

13 (C) for a suit with at least 26 but not more than
14 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

15 (D) for a suit with at least 101 but not more than
16 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

17 (E) for a suit with at least 501 but not more than
18 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

19 (F) for a suit with more than 1,000 plaintiffs
20 (Sec. 51.317, Government Code) . . . \$200;

21 (7) for filing a cross-action, counterclaim,
22 intervention, contempt action, motion for new trial, or third-party
23 petition (Sec. 51.317, Government Code) . . . \$15;

24 (8) for issuing a citation or other writ or process not
25 otherwise provided for, including one copy, when requested at the
26 time a suit or action is filed (Sec. 51.317, Government Code) . . .
27 \$8;

1 (9) for records management and preservation (Sec.
2 51.317, Government Code) . . . \$10;

3 (10) for issuing a subpoena, including one copy (Sec.
4 51.318, Government Code) . . . \$8;

5 (11) for issuing a citation, commission for
6 deposition, writ of execution, order of sale, writ of execution and
7 order of sale, writ of injunction, writ of garnishment, writ of
8 attachment, or writ of sequestration not provided for in Section
9 51.317, or any other writ or process not otherwise provided for,
10 including one copy if required by law (Sec. 51.318, Government
11 Code) . . . \$8;

12 (12) for searching files or records to locate a cause
13 when the docket number is not provided (Sec. 51.318, Government
14 Code) . . . \$5;

15 (13) for searching files or records to ascertain the
16 existence of an instrument or record in the district clerk's office
17 (Sec. 51.318, Government Code) . . . \$5;

18 (14) for abstracting a judgment (Sec. 51.318,
19 Government Code) . . . \$8;

20 (15) for approving a bond (Sec. 51.318, Government
21 Code) . . . \$4;

22 (16) for a certified copy of a record, judgment,
23 order, pleading, or paper on file or of record in the district
24 clerk's office, including certificate and seal, for each page or
25 part of a page (Sec. 51.318, Government Code) . . . \$1;

26 (17) for a noncertified copy, for each page or part of
27 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

1 (18) jury fee (Sec. 51.604, Government Code) . . .
2 \$30;

3 (19) for filing a report of divorce or annulment (Sec.
4 194.002, Health and Safety Code) . . . \$1;

5 (20) for filing a suit in Comal County (Sec. 152.0522,
6 Human Resources Code) . . . \$4;

7 (21) additional filing fee for family protection on
8 filing a suit for dissolution of a marriage under Chapter 6, Family
9 Code, if authorized by the county commissioners court (Sec. 51.961,
10 Government Code) . . . not to exceed \$30;

11 (22) fee on filing a suit for dissolution of a marriage
12 for services of child support department in Harris County, if
13 authorized by the county commissioners court (Sec. 152.1074, Human
14 Resources Code) . . . not to exceed \$12;

15 (22-a) a child support service fee in Nueces County if
16 ordered by the commissioners court and assessed by the court (Sec.
17 152.1844, Human Resources Code) . . . not to exceed \$5 a month
18 payable annually in advance;

19 (22-b) a service fee to be paid by a person ordered by
20 a district court to pay child or spousal support:

21 (A) in Collin County if authorized by the
22 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to
23 exceed \$2.50 added to first support payment each month;

24 (B) in Johnson County if authorized by the
25 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00
26 added to first support payment each month; and

27 (C) in Montague County (Sec. 152.1752, Human

1 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50
2 cents if fee is ordered to be paid semimonthly or weekly;

3 (22-c) attorney's fees as an additional cost in
4 Montague County on a finding of contempt of court for failure to pay
5 child or spousal support if the contempt action is initiated by the
6 probation department (Sec. 152.1752, Human Resources Code) . . .
7 \$15;

8 (23) fee on filing a suit requesting an adoption in
9 Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

10 (24) court cost on citation for contempt of court for
11 failure to comply with child support order in Nueces County, if
12 authorized by the commissioners court (Sec. 152.1844, Human
13 Resources Code) . . . not to exceed \$10;

14 (25) fee on filing a suit for divorce in Orange County
15 (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

16 (26) court costs on citation for contempt of court in
17 Orange County for failure to comply with a child support order or
18 order providing for possession of or access to a child (Sec.
19 152.1873, Human Resources Code) . . . amount determined by district
20 clerk;

21 (27) fee on filing a suit requesting an adoption in
22 Orange County (Sec. 152.1874, Human Resources Code) . . . not less
23 than \$25;

24 (28) fee on filing a suit requesting an adoption in
25 Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100;

26 (29) additional filing fee to fund the courthouse
27 security fund, if authorized by the county commissioners court

1 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

2 (30) additional filing fee for filing documents not
3 subject to certain filing fees to fund the courthouse security
4 fund, if authorized by the county commissioners court (Sec.
5 291.008, Local Government Code) . . . \$1;

6 (31) additional filing fee to fund the courthouse
7 security fund in Webb County, if authorized by the county
8 commissioners court (Sec. 291.009, Local Government Code) . . . not
9 to exceed \$20;

10 (32) court cost in civil cases other than suits for
11 delinquent taxes to fund the county law library fund, if authorized
12 by the county commissioners court (Sec. 323.023, Local Government
13 Code) . . . not to exceed \$35;

14 (33) when administering a case for the Rockwall County
15 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
16 court costs as if the case had been filed in district court;

17 (34) at a hearing held by an associate judge in Dallas
18 County, a court cost to preserve the record, in the absence of a
19 court reporter, by other means (Sec. 54.509, Government Code) . . .
20 as assessed by the referring court or associate judge;

21 (35) at a hearing held by an associate judge in Duval
22 County, a court cost to preserve the record (Sec. 54.1151,
23 Government Code, as added by Chapter 1150, Acts of the 78th
24 Legislature, Regular Session, 2003) . . . as imposed by the
25 referring court or associate judge;

26 (36) court fees and costs, if ordered by the court, for
27 a suit filed by an inmate in which an affidavit or unsworn

1 declaration of inability to pay costs is filed by the inmate (Sec.
2 14.006, Civil Practice and Remedies Code) . . . the lesser of:

3 (A) 20 percent of the preceding six months'
4 deposits to the inmate's trust account administered by the Texas
5 Department of Criminal Justice under Section 501.014, Government
6 Code; or

7 (B) the total amount of court fees and costs;

8 (37) monthly payment for remaining court fees and
9 costs after the initial payment for a suit in which an affidavit or
10 unsworn declaration of inability to pay costs is filed by the inmate
11 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
12 of:

13 (A) 10 percent of that month's deposit to the
14 inmate's trust account administered by the Texas Department of
15 Criminal Justice under Section 501.014, Government Code; or

16 (B) the total amount of court fees and costs that
17 remain unpaid;

18 (38) the following costs not otherwise charged to the
19 inmate under Section 14.006, Civil Practice and Remedies Code, if
20 the inmate has previously filed an action dismissed as malicious or
21 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

22 (A) expenses of service of process;

23 (B) postage; and

24 (C) transportation, housing, or medical care
25 incurred in connection with the appearance of the inmate in the
26 court for any proceeding;

27 (39) fee for performing a service:

1 (A) related to the matter of the estate of a
2 deceased person (Sec. 51.319, Government Code) . . . the same fee
3 allowed the county clerk for those services;

4 (B) related to the matter of a minor (Sec.
5 51.319, Government Code) . . . the same fee allowed the county
6 clerk for the service;

7 (C) of serving process by certified or registered
8 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
9 constable is authorized to charge for the service under Section
10 118.131, Local Government Code; and

11 (D) prescribed or authorized by law but for which
12 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

13 (40) court costs, which may include expert witness
14 fees in Travis County in an action in which the plaintiff prevails
15 against an insurer for economic damages sustained by the plaintiff
16 as a result of unfair discrimination (Sec. 544.054, Insurance Code)
17 . . . court costs and reasonable and necessary expert witness fees;

18 (41) security deposit on filing, by any person other
19 than the personal representative of an estate, an application,
20 complaint, or opposition in relation to the estate, if required by
21 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
22 proceeding;

23 (42) security deposit on filing, by any person other
24 than the guardian, attorney ad litem, or guardian ad litem, an
25 application, complaint, or opposition in relation to a guardianship
26 matter, if required by the clerk (Sec. 622, Texas Probate Code)
27 . . . probable cost of the guardianship proceeding; [~~and~~]

1 (43) fee for filing an additional petition for review
2 of an appraisal review board order relating to certain regulated
3 property running through or operating in more than one county after
4 the first petition for review relating to the same property is filed
5 for a tax year (Sec. 42.221, Tax Code) . . . \$5;

6 (44) court costs for each special commissioner in an
7 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
8 taxed by the court, \$10 or more; and

9 (45) court costs and attorney's fees in an eminent
10 domain proceeding (Sec. 21.047, Property Code) . . . as taxed by
11 the court and as reasonable, respectively.

12 SECTION 17. Section 101.081, Government Code, is amended to
13 read as follows:

14 Sec. 101.081. STATUTORY COUNTY COURT FEES AND COSTS. The
15 clerk of a statutory county court shall collect fees and costs as
16 follows:

17 (1) court cost in certain civil cases to establish and
18 maintain an alternative dispute resolution system, if authorized by
19 the county commissioners court (Sec. 152.004, Civil Practice and
20 Remedies Code) . . . not to exceed \$10;

21 (2) appellate judicial system filing fees:

22 (A) First or Fourteenth Court of Appeals District
23 (Sec. 22.2021, Government Code) . . . not more than \$5;

24 (B) Second Court of Appeals District (Sec.
25 22.2031, Government Code) . . . not more than \$5;

26 (C) Fourth Court of Appeals District (Sec.
27 22.2051, Government Code) . . . not more than \$5;

1 (D) Fifth Court of Appeals District (Sec.
2 22.2061, Government Code) . . . not more than \$5; and

3 (E) Thirteenth Court of Appeals District (Sec.
4 22.2141, Government Code) . . . not more than \$5;

5 (3) an official court reporter fee, County Court at
6 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;

7 (4) a court reporter fee when testimony is taken in a
8 county court at law in McLennan County (Sec. 25.1572, Government
9 Code) . . . \$3;

10 (5) a stenographer fee, if a record or part of a record
11 is made:

12 (A) in a county court at law in Hidalgo County
13 (Sec. 25.1102, Government Code) . . . \$20; and

14 (B) in a county court at law in Nolan County (Sec.
15 25.1792, Government Code) . . . \$25;

16 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;

17 (7) an additional filing fee:

18 (A) for each civil case filed to be used for
19 court-related purposes for the support of the judiciary, if
20 authorized by the county commissioners court (Sec. 51.702,
21 Government Code) . . . \$40;

22 (B) to fund the improvement of Dallas County
23 civil court facilities, if authorized by the county commissioners
24 court (Sec. 51.705, Government Code) . . . not more than \$15; and

25 (C) for filing any civil action or proceeding
26 requiring a filing fee, including an appeal, and on the filing of
27 any counterclaim, cross-action, intervention, interpleader, or

1 third-party action requiring a filing fee, to fund civil legal
2 services for the indigent (Sec. 133.153, Local Government Code)
3 . . . \$5;

4 (8) for filing an application for registration of
5 death (Sec. 193.007, Health and Safety Code) . . . \$1;

6 (9) fee for judge's services on an application for
7 court-ordered mental health services (Sec. 574.031, Health and
8 Safety Code) . . . not to exceed \$50;

9 (10) fee for prosecutor's services on an application
10 for court-ordered mental health services (Sec. 574.031, Health and
11 Safety Code) . . . not to exceed \$50;

12 (11) for filing a suit in Comal County (Sec. 152.0522,
13 Human Resources Code) . . . \$4;

14 (12) additional filing fee to fund contingency fund
15 for liability insurance, if authorized by the county commissioners
16 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

17 (13) civil court actions (Sec. 118.052, Local
18 Government Code):

19 (A) filing of original action (Secs. 118.052 and
20 118.053, Local Government Code):

21 (i) garnishment after judgment (Sec.
22 118.052, Local Government Code) . . . \$15; and

23 (ii) all others (Sec. 118.052, Local
24 Government Code) . . . \$40;

25 (B) filing of action other than original (Secs.
26 118.052 and 118.054, Local Government Code) . . . \$30; and

27 (C) services rendered after judgment in original

1 action (Secs. 118.052 and 118.0545, Local Government Code):

2 (i) abstract of judgment (Sec. 118.052,
3 Local Government Code) . . . \$5; and

4 (ii) execution, order of sale, writ, or
5 other process (Sec. 118.052, Local Government Code) . . . \$5;

6 (14) probate court actions (Sec. 118.052, Local
7 Government Code):

8 (A) probate original action (Secs. 118.052 and
9 118.055, Local Government Code):

10 (i) probate of a will with independent
11 executor, administration with will attached, administration of an
12 estate, guardianship or receivership of an estate, or muniment of
13 title (Sec. 118.052, Local Government Code) . . . \$40;

14 (ii) community survivors (Sec. 118.052,
15 Local Government Code) . . . \$40;

16 (iii) small estates (Sec. 118.052, Local
17 Government Code) . . . \$40;

18 (iv) declarations of heirship (Sec.
19 118.052, Local Government Code) . . . \$40;

20 (v) mental health or chemical dependency
21 services (Sec. 118.052, Local Government Code) . . . \$40; and

22 (vi) additional, special fee (Secs. 118.052
23 and 118.064, Local Government Code) . . . \$5;

24 (B) services in pending probate action (Secs.
25 118.052 and 118.056, Local Government Code):

26 (i) filing an inventory and appraisalment
27 after the 120th day after the date of the initial filing of the

- 1 action (Sec. 118.052, Local Government Code) . . . \$25;
- 2 (ii) approving and recording bond (Sec.
3 118.052, Local Government Code) . . . \$3;
- 4 (iii) administering oath (Sec. 118.052,
5 Local Government Code) . . . \$2;
- 6 (iv) filing annual or final account of
7 estate (Sec. 118.052, Local Government Code) . . . \$25;
- 8 (v) filing application for sale of real or
9 personal property (Sec. 118.052, Local Government Code) . . . \$25;
- 10 (vi) filing annual or final report of
11 guardian of a person (Sec. 118.052, Local Government Code) . . .
12 \$10; and
- 13 (vii) filing a document not listed under
14 this paragraph after the filing of an order approving the inventory
15 and appraisement or after the 120th day after the date of the
16 initial filing of the action, whichever occurs first (Secs. 118.052
17 and 191.007, Local Government Code), if more than 25 pages . . .
18 \$25;
- 19 (C) adverse probate action (Secs. 118.052 and
20 118.057, Local Government Code) . . . \$40; and
- 21 (D) claim against estate (Secs. 118.052 and
22 118.058, Local Government Code) . . . \$2;
- 23 (15) other fees (Sec. 118.052, Local Government Code):
- 24 (A) issuing document (Secs. 118.052 and 118.059,
25 Local Government Code):
- 26 (i) original document and one copy (Sec.
27 118.052, Local Government Code) . . . \$4; and

1 (ii) each additional set of an original and
2 one copy (Sec. 118.052, Local Government Code) . . . \$4;

3 (B) certified papers (Secs. 118.052 and 118.060,
4 Local Government Code):

5 (i) for the clerk's certificate (Sec.
6 118.052, Local Government Code) . . . \$5; and

7 (ii) a fee per page or part of a page (Sec.
8 118.052, Local Government Code) . . . \$1;

9 (C) noncertified papers, for each page or part of
10 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
11 \$1;

12 (D) letters testamentary, letter of
13 guardianship, letter of administration, or abstract of judgment
14 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

15 (E) safekeeping of wills (Secs. 118.052 and
16 118.062, Local Government Code) . . . \$5;

17 (F) mail service of process (Secs. 118.052 and
18 118.063, Local Government Code) . . . same as sheriff; and

19 (G) records management and preservation fee
20 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
21 . . . \$5;

22 (16) additional filing fee to fund the courthouse
23 security fund, if authorized by the county commissioners court
24 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

25 (17) additional filing fee for filing documents not
26 subject to certain filing fees to fund the courthouse security
27 fund, if authorized by the county commissioners court (Sec.

1 291.008, Local Government Code) . . . \$1;

2 (18) additional filing fee to fund the courthouse
3 security fund in Webb County, if authorized by the county
4 commissioners court (Sec. 291.009, Local Government Code) . . . not
5 to exceed \$20;

6 (19) court cost in civil cases other than suits for
7 delinquent taxes to fund the county law library fund, if authorized
8 by the county commissioners court (Sec. 323.023, Local Government
9 Code) . . . not to exceed \$35;

10 (20) fee for deposit of a will with the county clerk
11 during testator's lifetime (Sec. 71, Texas Probate Code) . . . \$3;

12 (21) court cost for each special commissioner in an
13 eminent domain proceeding (Sec. 21.047, Property Code) . . . as
14 taxed by the court, \$10 or more;

15 (21-a) court costs and attorney's fees in an eminent
16 domain proceeding (Sec. 21.047, Property Code) . . . as taxed by
17 the court and as reasonable, respectively;

18 (22) fee for county attorney in a suit regarding a
19 railroad company's failure to keep roadbed and right-of-way in
20 proper condition (Art. 6327, Vernon's Texas Civil Statutes) . . .
21 \$10;

22 (23) court fees and costs, if ordered by the court, for
23 a suit filed by an inmate in which an affidavit or unsworn
24 declaration of inability to pay costs is filed by the inmate (Sec.
25 14.006, Civil Practice and Remedies Code) . . . the lesser of:

26 (A) 20 percent of the preceding six months'
27 deposits to the inmate's trust account administered by the Texas

1 Department of Criminal Justice under Section 501.014, Government
2 Code; or

3 (B) the total amount of court fees and costs;

4 (24) monthly payment for remaining court fees and
5 costs after the initial payment for a suit in which an affidavit or
6 unsworn declaration of inability to pay costs is filed by the inmate
7 (Sec. 14.006, Civil Practice and Remedies Code) . . . the lesser
8 of:

9 (A) 10 percent of that month's deposit to the
10 inmate's trust account administered by the Texas Department of
11 Criminal Justice under Section 501.014, Government Code; or

12 (B) the total amount of court fees and costs that
13 remain unpaid;

14 (25) the following costs not otherwise charged to the
15 inmate under Section 14.006, Civil Practice and Remedies Code, if
16 the inmate has previously filed an action dismissed as malicious or
17 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

18 (A) expenses of service of process;

19 (B) postage; and

20 (C) transportation, housing, or medical care
21 incurred in connection with the appearance of the inmate in the
22 court for any proceeding;

23 (26) the official court reporter's fee taxed as costs
24 in civil actions in a statutory county court:

25 (A) in Bexar County Courts at Law:

26 (i) Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12

27 (Sec. 25.0172, Government Code) . . . taxed in the same manner as

1 the fee is taxed in district court; and

2 (ii) No. 2 (Sec. 25.0172, Government Code)
3 . . . \$3;

4 (B) in Galveston County (Sec. 25.0862,
5 Government Code) . . . taxed in the same manner as the fee is taxed
6 in civil cases in the district courts; and

7 (C) in Parker County (Sec. 25.1862, Government
8 Code) . . . taxed in the same manner as the fee is taxed in civil
9 cases in the district courts;

10 (27) a stenographer's fee as costs in each civil,
11 criminal, and probate case in which a record is made by the official
12 court reporter in a statutory county court in Nolan County (Sec.
13 25.1792, Government Code) . . . \$25;

14 (28) in Brazoria County, in matters of concurrent
15 jurisdiction with the district court, fees (Sec. 25.0222,
16 Government Code) . . . as prescribed by law for district judges
17 according to the nature of the matter;

18 (29) in Nueces County, in matters of concurrent
19 jurisdiction with the district court, with certain exceptions, fees
20 (Sec. 25.1802, Government Code) . . . equal to those in district
21 court cases;

22 (30) security deposit on filing, by any person other
23 than the personal representative of an estate, an application,
24 complaint, or opposition in relation to the estate, if required by
25 the clerk (Sec. 12, Texas Probate Code) . . . probable cost of the
26 proceeding;

27 (31) security deposit on filing, by any person other

1 than the guardian, attorney ad litem, or guardian ad litem, an
2 application, complaint, or opposition in relation to a guardianship
3 matter, if required by the clerk (Sec. 622, Texas Probate Code)
4 . . . probable cost of the guardianship proceeding;

5 (32) for a hearing or proceeding under the Texas
6 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
7 costs (Secs. 571.017 and 571.018, Health and Safety Code) . . .
8 reasonable compensation to the following persons appointed under
9 the Texas Mental Health Code:

- 10 (A) attorneys;
- 11 (B) physicians;
- 12 (C) language interpreters;
- 13 (D) sign interpreters; and
- 14 (E) masters;

15 (33) for a hearing or proceeding under the Texas
16 Mental Health Code (Subtitle C, Title 7, Health and Safety Code) as
17 costs (Sec. 571.018, Health and Safety Code):

- 18 (A) attorney's fees;
- 19 (B) physician examination fees;
- 20 (C) expense of transportation to a mental health
21 facility or to a federal agency not to exceed \$50 if transporting
22 within the same county and not to exceed the reasonable cost of
23 transportation if transporting between counties;

24 (D) costs and salary supplements authorized
25 under Section 574.031, Health and Safety Code; and

26 (E) prosecutors' fees authorized under Section
27 574.031, Health and Safety Code;

1 (34) expenses of transporting certain patients from
2 the county of treatment to a hearing in the county in which the
3 proceedings originated (Sec. 574.008, Health and Safety Code) . . .
4 actual expenses unless certain arrangements are made to hold the
5 hearing in the county in which the patient is receiving services;

6 (35) expenses for expert witness testimony for an
7 indigent patient (Sec. 574.010, Health and Safety Code) . . . if
8 authorized by the court as reimbursement to the attorney ad litem,
9 court-approved expenses;

10 (36) fee for judge's services for holding a hearing on
11 an application for court-ordered mental health services (Sec.
12 574.031, Health and Safety Code) . . . as assessed by the judge, not
13 to exceed \$50;

14 (37) expenses to reimburse judge for holding a hearing
15 in a hospital or location other than the county courthouse (Sec.
16 574.031, Health and Safety Code) . . . reasonable and necessary
17 expenses as certified;

18 (38) fee for services of a prosecuting attorney,
19 including costs incurred for preparation of documents related to a
20 hearing on an application for court-ordered mental health services
21 (Sec. 574.031, Health and Safety Code) . . . as assessed by the
22 judge, not to exceed \$50; and

23 (39) a fee not otherwise listed in this section that is
24 required to be collected under Section 25.0008, Government Code
25 (Sec. 25.0008, Government Code), in a county other than Brazos,
26 Cameron, Ellis, Guadalupe, Harris, Henderson, Liberty, Moore,
27 Nolan, Panola, Parker, Starr, Victoria, and Williamson . . . as

1 prescribed by law relating to county judges' fees.

2 SECTION 18. Section 552.0037, Government Code, is repealed.

3 SECTION 19. Not later than January 1, 2009, the comptroller
4 shall:

5 (1) identify all public and private entities with
6 eminent domain authority; and

7 (2) make recommendations to the legislature and the
8 governor regarding:

9 (A) which entities have, need, or should have
10 eminent domain authority;

11 (B) whether that eminent domain authority of
12 those entities should be continued, expanded, or limited; and

13 (C) the cause and effect of continuing,
14 eliminating, expanding, or limiting the eminent domain authority of
15 those entities.

16 SECTION 20. The changes in law made by Chapter 2206,
17 Government Code, and Chapter 21, Property Code, as amended by this
18 Act, apply only to a condemnation proceeding in which the petition
19 is filed on or after the effective date of this Act and to any
20 property condemned through the proceeding. A condemnation
21 proceeding in which the petition is filed before the effective date
22 of this Act and any property condemned through the proceeding is
23 governed by the law in effect immediately before that date, and that
24 law is continued in effect for that purpose.

25 SECTION 21. Section 111.0195, Natural Resources Code, as
26 added by this Act, applies only to a condemnation proceeding in
27 which the petition is filed on or after the effective date of this

1 Act and to any property condemned through the proceeding. A
2 condemnation proceeding in which the petition is filed before the
3 effective date of this Act and any property condemned through the
4 proceeding is governed by the law in effect immediately before that
5 date, and that law is continued in effect for that purpose.

6 SECTION 22. (a) Except as provided by Subsection (b) of
7 this section, this Act takes effect September 1, 2007.

8 (b) Sections 4 and 13 of this Act, amending Sections 21.023
9 and 21.103, Property Code, take effect on the date on which the
10 constitutional amendment proposed by the 80th Legislature, Regular
11 Session, 2007, allowing a governmental entity to sell property
12 acquired through eminent domain back to the previous owners at the
13 price the entity paid to acquire the property takes effect. If that
14 amendment is not approved by the voters, Sections 4 and 13 of this
15 Act have no effect.

President of the Senate

Speaker of the House

I certify that H.B. No. 2006 was passed by the House on May 8, 2007, by the following vote: Yeas 143, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2006 on May 26, 2007, by the following vote: Yeas 125, Nays 11, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2006 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 28, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor