

By: Ashby

H.B. No. 1246

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the acquisition of certain real property in conjunction
3 with the acquisition of real property for a public use through
4 eminent domain procedures.

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

6 SECTION 1. Section 402.031, Government Code, is amended by
7 adding Subsection (c-1) to read as follows:

8 (c-1) The statement must disclose that a condemning entity
9 that makes an initial offer under Section 21.0113, Property Code,
10 that includes real property that the entity does not seek to acquire
11 by condemnation shall in the initial offer:

12 (1) separately identify the real property that the
13 entity does not seek to acquire by condemnation; and

14 (2) make an offer for the real property that the entity
15 does not seek to acquire by condemnation separate from the offer
16 made for the real property sought to be acquired by condemnation.

17 SECTION 2. Subchapter B, Chapter 21, Property Code, is
18 amended by adding Section 21.0114 to read as follows:

19 Sec. 21.0114. OFFER TO ACQUIRE ADDITIONAL PROPERTY. A
20 condemning entity that makes an initial offer under Section 21.0113
21 that includes real property that the entity does not seek to acquire
22 by condemnation shall in the initial offer:

23 (1) separately identify the real property that the
24 entity does not seek to acquire by condemnation; and

1 (2) make an offer for the real property that the entity
2 does not seek to acquire by condemnation separate from the offer
3 made for the real property sought to be acquired by condemnation.

4 SECTION 3. This Act takes effect September 1, 2019.