

1-1 By: Schwertner, et al. S.B. No. 554
 1-2 (In the Senate - Filed January 31, 2019; February 21, 2019,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 13, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 13, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 554 By: Nelson

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to establishing actual progress for the purposes of
 1-22 determining the right to repurchase real property from a condemning
 1-23 entity.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 21.101, Property Code, is amended by
 1-26 amending Subsection (b) and adding Subsection (b-1) to read as
 1-27 follows:

1-28 (b) In this section, "actual progress" means the completion
 1-29 of three [~~two~~] or more of the following actions:

1-30 (1) the performance of a significant amount of labor
 1-31 to develop the property or other property acquired for the same
 1-32 public use project for which the property owner's property was
 1-33 acquired;

1-34 (2) the provision of a significant amount of materials
 1-35 to develop the property or other property acquired for the same
 1-36 public use project for which the property owner's property was
 1-37 acquired;

1-38 (3) the hiring of or contracting with and the
 1-39 performance of a significant amount of work by an architect,
 1-40 engineer, or surveyor to prepare a plan, [~~or~~] plat, or easement that
 1-41 includes the property or other property acquired for the same
 1-42 public use project for which the property owner's property was
 1-43 acquired;

1-44 (4) application for state or federal funds to develop
 1-45 the property or other property acquired for the same public use
 1-46 project for which the property owner's property was acquired; or

1-47 (5) application for a state or federal permit or
 1-48 certificate to develop the property or other property acquired for
 1-49 the same public use project for which the property owner's property
 1-50 was acquired.

1-51 (b-1) Notwithstanding Subsection (b), a navigation district
 1-52 or port authority may establish actual progress for purposes of
 1-53 this section by:

1-54 (1) the completion of one action described by
 1-55 Subsection (b); and

1-56 (2) [~~;~~ (6) the acquisition of a tract or parcel of
 1-57 real property adjacent to the property for the same public use
 1-58 project for which the owner's property was acquired; ~~or~~

1-59 [(7) for a governmental entity,] the adoption by a
 1-60 majority of the entity's governing body at a public hearing of a

2-1 development plan for a public use project that indicates that the
2-2 entity will not complete more than one action described by
2-3 Subsection (b) [Subdivisions (1)-(6)] before the 10th anniversary
2-4 of the date of acquisition of the property.

2-5 SECTION 2. Section 21.101, Property Code, as amended by
2-6 this Act, applies only to a real property interest acquired in
2-7 connection with a condemnation proceeding in which the petition is
2-8 filed on or after the effective date of this Act. A real property
2-9 interest acquired in connection with a condemnation proceeding in
2-10 which the petition is filed before the effective date of this Act is
2-11 governed by the law in effect immediately before that date, and that
2-12 law is continued in effect for that purpose.

2-13 SECTION 3. This Act takes effect September 1, 2019.

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