

1-1 By: Rogers (Senate Sponsor - Hughes) H.B. No. 3385  
 1-2 (In the Senate - Received from the House May 17, 2021;  
 1-3 May 17, 2021, read first time and referred to Committee on State  
 1-4 Affairs; May 21, 2021, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to a landowner's bill of rights statement in connection  
 1-20 with the acquisition of real property through eminent domain.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 402.031(b) and (c), Government Code,  
 1-23 are amended to read as follows:

1-24 (b) The landowner's bill of rights must notify each property  
 1-25 owner that the property owner has the right to:

1-26 (1) notice of the proposed acquisition of the owner's  
 1-27 property;

1-28 (2) a bona fide good faith effort to negotiate by the  
 1-29 entity proposing to acquire the property;

1-30 (3) an assessment of damages to the owner that will  
 1-31 result from the taking of the property;

1-32 (4) a hearing under Chapter 21, Property Code,  
 1-33 including a hearing on the assessment of damages; ~~and~~

1-34 (5) an appeal of a judgment in a condemnation  
 1-35 proceeding, including an appeal of an assessment of damages; and

1-36 (6) submit to the appraisal district office in the  
 1-37 county in which the property is taxable a report of decreased value  
 1-38 for the owner's remaining property after the taking.

1-39 (c) The statement must include:

1-40 (1) the title, "Landowner's Bill of Rights"; ~~and~~

1-41 (2) a description of:

1-42 (A) the condemnation procedure provided by  
 1-43 Chapter 21, Property Code;

1-44 (B) the condemning entity's obligations to the  
 1-45 property owner; and

1-46 (C) the property owner's options during a  
 1-47 condemnation, including the property owner's right to object to and  
 1-48 appeal an amount of damages awarded; and

1-49 (3) a copy of the report of decreased value form issued  
 1-50 by the comptroller.

1-51 SECTION 2. The office of the attorney general shall make the  
 1-52 landowner's bill of rights statement required by Section 402.031,  
 1-53 Government Code, as amended by this Act, available on the attorney  
 1-54 general's Internet website not later than January 1, 2022.

1-55 SECTION 3. (a) Except as provided by Subsection (b) of this  
 1-56 section, this Act takes effect January 1, 2022.

1-57 (b) Section 2 of this Act takes effect September 1, 2021.

1-58 \* \* \* \* \*