

Amend CSSB 18 (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, strike added Section 21.0111(c), Property Code (page 4, lines 15-26).

(2) In SECTION 2 of the bill, in added Section 21.0111(d)(2), Property Code (page 4, line 34), between "confidential" and the period, insert "unless the offer or agreement is subject to Chapter 552, Government Code".

(3) In SECTION 2 of the bill, in amended Section 21.0111, Property Code (page 4, lines 27 and 35) reletter subsections appropriately.

(4) In SECTION 3 of the bill, strike added Section 21.0113(b), Property Code (page 4, lines 46-66), and substitute the following:

(b) An entity with eminent domain authority has made a bona fide offer if:

(1) an initial offer is made in writing to a property owner;

(2) a final offer is made in writing to the property owner;

(3) the final offer is made on or after the 30th day after the date on which the entity makes a written initial offer to the property owner;

(4) before making a final offer, the entity obtains a written appraisal from a certified appraiser of the value of the property being acquired and the damages, if any, to any remaining property;

(5) the final offer is equal to or greater than the amount of the written appraisal obtained by the entity;

(6) the following items are included with the final offer or have been previously provided to the owner by the entity:

(A) a copy of the written appraisal;

(B) a copy of the deed, easement, or other instrument conveying the property sought to be acquired; and

(C) a landowner's bill of rights statement; and

(7) the entity provides the property owner with at least 14 days to respond to the final offer and the property owner does not agree to the terms of the final offer within that time.

(5) In SECTION 13 of the bill, in added Section 21.047(d)(2), Property Code (page 7, line 13), between "fees" and "incurred", insert "and other professional fees".

(6) In SECTION 14 of the bill, in amended Section 21.101(a)(1), Property Code (page 7, line 26), between "canceled" and the semicolon, insert "before the property is used for that public use".

(7) In SECTION 14 of the bill, in amended Section 21.101(a)(3), Property Code (page 7, line 31), immediately following "acquired", insert ", or a substantially similar public use, before the fifth anniversary of the date of acquisition".

(8) In SECTION 14 of the bill, in amended Section 21.102(2)(A), Property Code (page 8, line 11), strike "has been canceled" and substitute "was [~~has been~~] canceled before the property was used for the public use".

(9) In SECTION 14 of the bill, in amended Section 21.102(2)(C), Property Code (page 8, lines 14 and 15), strike "has become unnecessary for the public use" and substitute "became unnecessary for the public use, or a substantially similar public use, before the fifth anniversary of the date of acquisition".

(10) In SECTION 14 of the bill, in added Section 21.1021(a)(1), Property Code (page 8, line 25), strike "has been canceled" and substitute "was canceled before the property was used for the public use".

(11) In SECTION 14 of the bill, in added Section 21.1021(a)(3), Property Code (page 8, lines 30 and 31), strike "has become unnecessary for the public use of the property" and substitute "became unnecessary for the public use, or a substantially similar public use, before the fifth anniversary of the date of acquisition".

(12) Strike SECTION 19 of the bill (page 9, lines 18-22) and substitute the following:

SECTION 9. This Act takes effect September 1, 2009.