

BILL ANALYSIS

Senate Research Center
87R1328 MLH-D

S.B. 157
By: Perry
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1812 from the 84th Legislative Session created a continuous reporting process for entities granted eminent domain authority by the Texas Legislature. A reporting platform was developed and is administered by the Comptroller of Public Accounts of the State of Texas, which facilitates registration on an annual basis to make reporting easy using modern database systems. S.B. 1812 also created a civil penalty of \$1,000 for counties not in compliance.

For many larger counties, this process is streamlined and the penalty is not so costly as to be a burden. However, in smaller counties, much of this process is done manually and the penalty is significant in relation to the overall budget of the county.

This bill allows qualifying school districts located in a county with a population under 25,000 to confirm the accuracy of the prior year's filing but the school district is not required to refile the eminent domain report every year if nothing has changed. Additionally, the bill also exempts cities and counties with populations below 25,000 from the annual reporting requirements if nothing has changed. However, if anything has changed, these political subdivisions must file the annual report with the Comptroller's Office.

As proposed, S.B. 157 amends current law relating to eminent domain reporting requirements for certain entities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2206.154, Government Code, by amending Subsection (a) and adding Subsections (b-1) and (b-2), as follows:

(a) Provides that Subsection (b-1), among others, is an exception to certain eminent domain reporting requirements for maintaining the eminent domain database under Section 2206.153 (Eminent Domain Database).

(b-1) Provides that a political subdivision described by Subsection (b-2) is required to file an annual report under Subsection (a) only if the political subdivision's eminent domain authority information has changed from the information reported in the most recent report filed by the political subdivision under Section 2206.154 (Reporting of Information to Comptroller). Requires the political subdivision, if for the current annual reporting period the political subdivision's eminent domain authority information is the same as the information reflected for the political subdivision in the eminent domain database for the previous annual reporting period, to confirm, not later than February 1 of the current annual reporting period, the accuracy of the information by electronically updating the political subdivision's previously filed report with the Comptroller of Public Accounts of the State of Texas (comptroller) in the manner prescribed by the comptroller.

(b-2) Provides that Subsection (b-1) applies to the following political subdivisions:

(1) a public school district located in a county with a population of less than 25,000; and

(2) a municipality or county with a population of less than 25,000.

SECTION 2. Effective date: September 1, 2021.