

BILL ANALYSIS

Senate Research Center
88R525 BEE-D

S.B. 1512
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a condemnor using eminent domain authority is required to disclose, at the time an offer to purchase property is made, any and all appraisal reports produced or acquired by the entity relating specifically to the owner's property and prepared in the 10 years preceding the date of the offer. However, there is no enforcement mechanism to ensure these appraisals are supplied.

S.B. 1512 requires a condemnor to pay landowner attorney fees if the condemnor fails to provide 10 years of appraisals for the property.

As proposed, S.B. 1512 amends current law relating to the failure to disclose certain appraisal reports by an entity with eminent domain authority in connection with an offer to acquire real property.

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 21.0111(a), Property Code, to provide that an entity that fails to meet the requirements of this subsection is liable to the owner for reasonable attorney's fees incurred by the owner in connection with the entity's acquisition of the owner's property.

SECTION 2. Provides that the change in law made by this Act applies only to the acquisition of real property in connection with an initial offer made under Section 21.0113 (Bona Fide Offer Required), Property Code, on or after the effective date of this Act. Provides that an acquisition of real property in connection with an initial offer made under Section 21.0113, Property Code, before the effective date of this Act is governed by the law applicable to the acquisition immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. Effective date: September 1, 2023.