

BILL ANALYSIS

Senate Research Center
78R8319 MXM-D

S.J.R. 57
By: Wentworth
State Affairs
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DIGEST AND PURPOSE

Currently, no mechanism exists to allow a person whose property was acquired by the government through eminent domain, when the project for which the property was acquired is canceled, to get the property back, other than a bidding process. As proposed, S.J.R. 57 proposes to the voters a constitutional amendment that would allow the government to sell the property to the property's previous owner at the price for which it was purchased.

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 Article III, Texas Constitution, by adding Section 52-c, as follows:

Sec. 52-c. Authorizes a governmental entity, notwithstanding any other provision of this constitution, to sell real property acquired through eminent domain at the price the entity paid at the time of acquisition if the public use for which the property was originally acquired no longer exists, and the sale is made to the person who owned the real property interest immediately before the governmental entity acquired the property interest, or to the heirs of that person if the person is deceased.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at the November 4, 2003, election, and the ballot to be printed in a certain manner.