

## **BILL ANALYSIS**

Senate Research Center  
80R1005 EJI-D

H.J.R. 30  
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State Affairs  
5/16/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently and with some exceptions, if a governmental entity acquires a private real property interest through eminent domain but the public use for which the property interest was acquired is canceled before the 10th anniversary of the date of acquisition, then the previous owner is entitled to repurchase the property interest for its fair market value at the time the public use was canceled.

H.J.R. 30 proposes a constitutional amendment to allow the repurchase of real property acquired by a governmental entity through eminent domain.

### **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 52j, as follows:

Sec. 52j. Authorizes a governmental entity to sell real property acquired through eminent domain to the person who owned the real property interest immediately before the governmental entity acquired the property interest, or to the person's heirs, successors, or assigns, at the price the entity paid at the time of acquisition if the public use for which the property was acquired through eminent domain is canceled, no actual progress is made toward the public use during a prescribed period of time, or the property is unnecessary for the public use.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.