

BILL ANALYSIS

Senate Research Center

C.S.H.J.R. 14
By: Corte et al. (Duncan)
State Affairs
5/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Both the United States Constitution and the Texas Constitution require that the taking of private property be for a public use, and that when an authorized entity takes private property for a public use it must fairly compensate the owner for the property taken. This bill amends the Texas Constitution to more clearly define the circumstances under which a person's private property may be taken for a public use, and what compensation is required in such cases.

C.S.H.J.R. 14 proposes a constitutional amendment to limit the public taking of private 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 17, Article I, Texas Constitution, as follows:

Sec. 17. (a) Creates this subsection from existing text.

(b) Defines "public use" in this section.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 3, 2009. Sets forth the required language of the ballot.