

BILL ANALYSIS

C.S.S.B. 175
By: Perry
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that annual eminent domain reporting requirements may be burdensome on political subdivisions with smaller populations and in some cases may not be necessary for subdivisions whose eminent domain authority information has not changed since the previous year. C.S.S.B. 175 seeks to address this issue by revising the eminent domain reporting requirements for certain entities.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 175 amends the Government Code to establish that a municipality or county with a population of less than 75,000, a public school district located in such a county, and certain special districts created under the Texas Constitution with a population of less than 75,000 are required to file an annual report for purposes of providing the comptroller of public accounts with information to maintain the eminent domain database only if such a political subdivision's eminent domain authority information has changed from the information reported in the most recent report filed by the political subdivision with the comptroller. The bill requires such a political subdivision, if its eminent domain authority information for the current annual reporting period 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 in the manner prescribed by the comptroller.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 175 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute extends the applicability of its provisions to certain special districts created under the Texas Constitution with a population of less than 75,000 and changes the political subdivisions to which the bill's provisions apply as follows:

- from a public school district located in a county with a population of less than 25,000 to a public school district located in a county with a population of less than 75,000; and
- from a municipality or county with a population of less than 25,000 to a municipality or county with a population of less than 75,000.