

## **BILL ANALYSIS**

Senate Research Center

H.B. 448  
By: Bailes et al. (Nichols)  
State Affairs  
5/16/2021  
Engrossed

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

Currently there is no process currently in statute for filing complaints against abuses of eminent domain authority. H.B. 448 seeks to address the lack of reporting and accountability for entities exercising that authority by establishing an ombudsman office under the Texas Real Estate Commission. Such an office will provide an avenue for property owner complaints to be heard and will enable better documentation of the extent of these problems.

H.B. 448 amends current law relating to the provision of certain eminent domain information to property owners through a landowner's bill of rights.

### **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 402.031(b), Government Code, as follows:

(b) Requires that the landowner's bill of rights notify each property owner that the property owner has the right to file a written complaint with the Texas Real Estate Commission under Section 1101.205 (Complaint Investigation of Certificate Holder), Occupations Code, regarding alleged misconduct by a registered easement or right-of-way agent acting on behalf of the entity exercising eminent domain authority.

SECTION 2. Requires the office of the attorney general to make the landowner's bill of rights statement required by Section 402.031, Government Code, as amended by this Act, available on the attorney general's Internet website not later than December 1, 2021.

SECTION 3. (a) Effective date, except as provided by Subsection (b) of this section: January 1, 2022.

(b) Effective date, Section 2 of this Act: September 1, 2021.