

By: Carona

S.B. No. 743

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the requirements for an appointment as a special  
3 commissioner in a condemnation proceeding.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 21.014(a), Property Code, is amended to  
6 read as follows:

7 (a) The judge of a court in which a condemnation petition is  
8 filed or to which an eminent domain case is assigned shall appoint  
9 three disinterested registered voters of [~~freeholders who reside~~  
10 ~~in~~] the county in which the property is located as special  
11 commissioners to assess the damages of the owner of the property  
12 being condemned. The judge appointing the special commissioners  
13 shall give preference to persons agreed on by the parties. If a  
14 person fails to serve as a commissioner, the judge may appoint a  
15 replacement.

16 SECTION 2. The changes in law made by this Act apply only to  
17 a condemnation proceeding in which the petition is filed on or after  
18 the effective date of this Act. A condemnation proceeding in which  
19 the petition is filed before the effective date of this Act is  
20 governed by the law in effect immediately before that date, and that  
21 law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect September 1, 2007.