

Chapter 462

H.B. No. 2536

AN ACT

relating to jurisdiction in an eminent domain proceeding in Harris County.

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

SECTION 1. Section 25.1032, Government Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) A county civil court at law has exclusive jurisdiction in Harris County of eminent domain proceedings, both statutory and inverse, if the amount in controversy in a statutory proceeding does not exceed the amount provided by Section 25.0003(c) in civil cases. Notwithstanding Section 21.013, Property Code, a party initiating a condemnation proceeding in Harris County may file a petition with the district clerk when the amount in controversy exceeds the amount provided by Section 25.0003(c). The amount in controversy is the amount of the bona fide offer made by the entity with eminent domain authority to acquire the property from the property owner voluntarily [~~regardless of the amount in controversy~~].

(d) In addition to other jurisdiction provided by law, a county civil court at law has jurisdiction to:

(1) decide the issue of title to real or personal property;

(2) hear a suit to recover damages for slander or

1 defamation of character;

2 (3) hear a suit for the enforcement of a lien on real
3 property;

4 (4) hear a suit for the forfeiture of a corporate
5 charter;

6 (5) hear a suit for the trial of the right to property
7 valued at \$200 or more that has been levied on under a writ of
8 execution, sequestration, or attachment; and

9 (6) hear a suit for the recovery of real property.

10 SECTION 2. The change in law made by this Act applies only
11 to an eminent domain proceeding for which a petition is filed on or
12 after the effective date of this Act. An eminent domain proceeding
13 for which a petition is filed before the effective date of this Act
14 is governed by the law in effect immediately before that date, and
15 that law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2015.

Tom Reed
President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 2536 was passed by the House on April 30, 2015, by the following vote: Yeas 132, Nays 7, 2 present, not voting.

Robert Honey
Chief Clerk of the House

I certify that H.B. No. 2536 was passed by the Senate on May 19, 2015, by the following vote: Yeas 22, Nays 9.

Arlene Spaw
Secretary of the Senate

APPROVED: 6-11-2015
Date

Greg Abbott
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:15 pm O'CLOCK

Quill
JUN 15 2015
Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2536 by Harless (Relating to jurisdiction in an eminent domain proceeding in Harris County.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government code to provide that certain civil courts at law have exclusive jurisdiction of eminent domain proceedings if the amount in controversy does not exceed a certain amount. Under the provisions of the bill, a condemnation proceeding with an amount in controversy over a certain amount could be filed in a district court. The bill provides a definition for "amount in controversy".

The Office of Court Administration reported no significant fiscal impact to the state court system is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, AG, SZ, SD, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 12, 2015

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2536 by Harless (Relating to jurisdiction in an eminent domain proceeding in Harris County.), **As Introduced**

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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

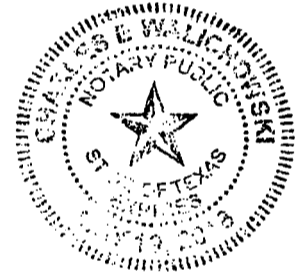
COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

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Edward Silva
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this the 9th Day of January A.D. 2015



Charles E. Walchowski
Notary Public in and for the State of Texas

This is to give notice of intent to introduce in the 84th Legislature, Regular Session, a bill to be entitled an Act relating to procedures in condemnation proceedings in a county civil court at law in Harris County.