



PRESS RELEASE

Senator Craig Estes

Texas State Senate District 30

For Immediate Release

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Estes Files Eminent Domain Reform Bill for Special Session

Austin - State Senator Craig Estes (R-Wichita Falls) filed SB 10 for the First Called Special Session of the 81st Texas Legislature, which provides key reforms to the state's current eminent domain laws.

SB 10 is the same bill as Senate Bill 18 passed unanimously by the Texas State Senate, but was not voted on by the Texas House before the Regular Session of the 81 Texas Legislature concluded on June 1.

"Senate Bill 10 strengthens the rights of property owners against the use of eminent domain by government or other condemning authorities," said Estes. "I am asking the Governor to add eminent domain reform to the call of this Special Session so that we can complete what we started in providing meaningful eminent domain reform."

Senate Bill 10 provides several key revisions to current law including limiting eminent domain takings for a public use only, requiring a bona fide offer before condemnation, requiring fair compensation for loss of direct access to remaining property, and ending the practice of government land speculation.

One of the key provisions involves compensating land owners for loss of access to the remainder of the property. Under Senate Bill 10, a property owner would be entitled to be compensated for any loss of market value at the time of taking due to a material impairment of direct access.

Other key provisions include authorizing property owners to construct roads over oil and gas pipeline easements with certain restrictions, and requires all entities with eminent domain authority to register with the state comptroller by December 31, 2010 or risk losing their condemnation authority.

"I agree with the Governor that the Special Session should be as short as possible, and I believe this issue has enough support in both the Senate and House to meet with quick passage," said Estes.

Senator Estes is Chairman of the Senate Committee on Agriculture and Rural Affairs, and represents Senate District 30 covering Archer, Baylor, Clay, Collin (part), Cooke, Denton (part), Grayson, Jack, Montague, Parker, Palo Pinto, Shackelford, Stephens, Throckmorton, Wichita, Wilbarger, Wise, and Young counties.

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