

By: Zaffirini

S.B. No. 1782

A BILL TO BE ENTITLED

AN ACT

relating to the assessment of damages arising from a condemnation of a pipeline easement.

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

SECTION 1. Section 21.042, Property Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) In estimating injury to a property owner under Subsections (c) and (d) arising from a condemnation of a pipeline easement on the owner's property, the special commissioners shall consider:

(1) the peculiar effect of the specific route of the pipeline easement on the property owner's use and enjoyment of the property and, if applicable, the extent to which that effect will produce a greater injury to the property owner than any reasonable alternative routes proposed by the property owner before the condemnation proceeding commenced;

(2) the damage to the entirety of the owner's property that will result from the laying of the pipeline in the easement and from the easement itself; and

(3) the duration of the burden being placed on the owner's property by the easement.

SECTION 2. The change in law made by this Act applies only to the assessment of damages in a condemnation proceeding commenced on or after the effective date of this Act.

1 SECTION 3. This Act takes effect September 1, 2013.