

Eminent Domain: Reform at Last!

Congratulations, Texas. Eminent domain has been reformed!

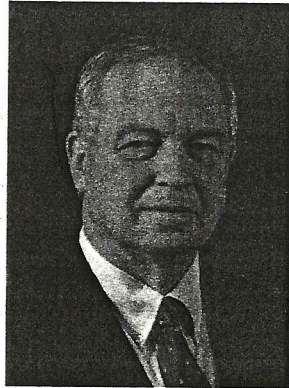
Private property laws in the Lone Star State have entered the 21st Century. The take-it-or-leave-it attitude displayed by some condemning authorities will be replaced by good faith and cooperation.

It's been a long time coming. Farm Bureau leaders and members in all 206 of our county organizations were major players in this high stakes game for many years.

Thanks to Gov. Perry for designating this issue as an emergency item, which paved the road for its smooth passage. Our appreciation goes to Gov. Perry for signing this important piece of private property rights legislation.

Senate Bill 18, led by Craig Estes in the Senate and shepherded by Charlie Geren in the House, unanimously passed in both chambers. Thanks to the state senators and representatives who have stuck to this issue like syrup to pancakes. Thanks to those new legislators who came on board. Thanks

to Agriculture Commissioner Todd Staples for his ardent support. And thanks to Lieutenant Governor David Dewhurst, House Speaker Joe Straus and House Land and Resource Management Committee Chair Rene Oliveira for guiding this important bill through the legislative process.



By Kenneth Dierschke
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As eminent domain reform becomes law, Texans will now find:

- Private property can be acquired only for a public purpose, not for an entity's private benefit.
- Condemning entities must make a good faith offer before the

beginning of the condemnation process.

- Property owners will have a stronger voice in determining who decides what damages are owed if condemnation proceedings occur.

- Property owners will be compensated for damages from a loss of direct access to their land and receive relocation assistance when forced from their property.

- Property owners—under certain conditions—will have the right to re-

purchase their property at the original value after 10 years.

Is Senate Bill 18 the perfect fix for Texas eminent domain laws? No, but it goes a long way toward solving what's wrong with the eminent domain process in Texas.

Transparency is an overused word, but in this case it fits. This legislation

ensures each side deals with a fair and open process. It provides a framework for resolution in those cases where the process is abused.

Most importantly, members of Texas Farm Bureau have extended the same respect they hold for the land and private property rights into the laws of the State of Texas.

That's how it should be. Congratulations on a job well done.