



DeWayne Burns
Texas House of Representatives
District 58



Lois Kolkhorst
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District 18

Representative DeWayne Burns and Senator Lois Kolkhorst Press Release

For Immediate Release:
Jan. 23, 2019

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Representative Burns, Senator Kolkhorst File Major Eminent Domain Reform Legislation

AUSTIN, Texas —Rep. DeWayne Burns (HD-58) and Sen. Lois Kolkhorst (SD-18) along with other prominent property rights advocates, announced on Wednesday, the filing of HB 991 and SB 421.

These bills, once codified into law will create a substantially more fair, equitable and transparent eminent domain process for thousands of Texans who are faced each year with the prospect of losing their private property through forced condemnation.

Eminent domain is a power granted to governments to seize private property for public use. In Texas, many private for-profit entities, such as pipeline and transmission line corporations, can subsidize their projects by using the same governmental power while being subject to minimal public oversight.

Both bills focus on those three main areas of reform: 1) Mandating a public meeting to ensure property owners understand the process and can have their question answered. 2) Stipulating minimum protections that must be present in the contract. 3) Holding condemners accountable if they offer property owners less compensation than they are owed.

The bills have already received bipartisan support from legislators in the House and Senate who represent both rural and urban Texas. This coalition is indicative of the high value countless Texan's place on the protection of private property rights.

“Texas’ rapidly growing population and thriving energy industry are at crossroads that will determine the future of our state,” said Rep. DeWayne Burns. “HB 991 will ensure Texas property owners are respected partners in building our critical infrastructure while preserving our strong tradition of property rights. I want to thank Sen. Kolkhorst, supporters of reform in both the House and the Senate, and the many stakeholders that have been consistently committed to eminent domain reform.”

“Since the days of Sam Houston and Stephen F. Austin, Texans have valued our freedom to own private property,” said Sen. Lois Kolkhorst. “To continue that proud tradition, I filed SB 421 to see that the eminent domain process used by private entities is fair, transparent and that those entities are held accountable when they take private land.”

This legislation will face strong opposition from oil, gas and pipeline company lobbyists who like the advantages they currently enjoy.

Full copies of the bills are available by searching for either bill number at <https://capitol.texas.gov>. Now filed, the bill must be referred to a committee and scheduled for a hearing.

What they're saying:

From the Texas and Southwestern Cattle Raisers Association:

“I would like to thank Sen. Kolkhorst and Rep. Burns for their steadfast commitment to fixing an eminent domain system that is often abused and designed to favor private companies who subsidize their profits with the power of condemnation,” said TSCRA President Robert McKnight, Jr. “Texans deserve better. We deserve an eminent domain process that is open and transparent; that is fair and respectful of our partnership in energy infrastructure, and that holds private condemners accountable if they don’t do it right.”

From the Texas Farm Bureau:

“When the law allows private entities to take private property, it should also protect the rights of those property owners. They cannot walk away from the table. They only have two options – accept an offer or get taken to court,” said Russell Boening, Texas Farm Bureau president. “Eminent domain reform is the property rights issue of our time. We thank the bill sponsors, Representative Burns and Senator Kolkhorst. We appreciate their leadership on this important issue.”

From the Texas Wildlife Association:

“Texas landowners provide immense benefits to our fellow Texans. Clean air, clean water, food, fiber, and wildlife are all dependent on the open spaces managed by those good people. This legislation is about treating them fairly, which is simply the right thing to do. Texas Wildlife Association is very thankful to Sen. Kolkhorst and Rep. Burns for their leadership on this and proud to support their efforts.” J. David Anderson, TWA Board President.

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