

**Domain Reform is a reality!--from CCRW President Pauline Lesch, May 24, 2011**

In January 2011, Cooke County Republican Women adopted SB 18, the Eminent Domain Reform bill by Senator Craig Estes (District 30-Wichita Falls) as a “legislative project.” Shortly thereafter, we learned that Governor Perry had made eminent domain reform one of his legislative priorities. We are pleased to report that SB 18 was passed by both houses of the Texas Legislature, and was signed into law by Governor Perry on May 19, 2011, and will be effective on September 1, 2011.

**THANK YOU**

**to EVERYONE who worked to make Eminent Domain Reform a reality in Texas!**

**Here is a press release from the website of Governor Rick Perry, along with an article by CCRW Legislative Chairman Sheila Cox that addresses not only the passage of this legislation, but also the importance of grassroot efforts**

□ ***From the website of Governor Rick Perry—***

**Gov. Perry: The Dream of Property Ownership is Secure in Texas**

Gov. Rick Perry today ceremonially signed Senate Bill 18, which implements landmark

eminent domain reforms to strengthen private property rights. The governor designated

this legislation as an emergency item for the 2011 Legislative Session. He was joined by

Texas Agriculture Commissioner  
Todd Staples, Sen. Craig Estes,  
Sen. Robert Duncan and

Rep. Charlie Geren for the bill  
signing.

"I'm proud to sign into law  
stronger eminent domain  
provisions protecting Texas  
landowners

from local and state government entities that might consider abusing private property rights,"

Gov. Perry said. "We've come a long way in the effort to strengthen private property rights

through this legislation, and thanks to the hard work of state lawmakers, particularly Sen. Estes,

Sen. Duncan and Rep. Geren,  
the dream of property ownership  
is more secure in the State of

Texas now than ever before."

SB 18 requires local and state  
government entities interested in  
acquiring private property

to first make an offer, in writing  
and based on an  
appraisal, to the landowner to  
purchase the

property through a voluntary sale  
for a fair price. This prevents  
entities from  
making lowball

offers knowing the land can be  
taken by eminent domain if the  
landowner doesn't accept.

The bill also requires condemnation petitions to specifically state the public use for which

the land is needed, eliminating instances where land is taken without current plans for its use.

Additionally, the bill makes it clear that eminent domain may only be used for public use.

"We know that Texas is thriving as a state and property is a valuable asset, but that growth

should not come at the expense of property owners," Sen. Craig Estes said. "This is the

most important bill to strengthen private property rights for landowners."



Further, SB 18 requires a government entity that takes land to first have a record vote stating

the land to be taken and the project for which it is being taken. It also requires entities to

provide all appraisals of the property they have during negotiations to ensure landowners

understand the fair market value  
of their land.  
Finally, this legislation also allows  
landowners

to repurchase land at the price  
they were paid for it if  
it becomes unnecessary for the  
project

for which it was taken, or if no act  
ual progress is made toward the  
project in 10 years, even if

the project has not been cancelled.

"I am proud of the work done by members of the Texas Senate and House of Representatives

to pass this important piece of legislation and am pleased to see eminent domain reforms

signed into law," Sen. Robert Duncan said.

"This is a strong law that was closely negotiated by major stakeholders across the state to

secure enduring protections for property owners." A former farmer, rancher and Texas

Agriculture Commissioner, Gov. Perry has long made private property rights a priority.

Last session at the governor's request, the Legislature passed a measure allowing Texans to

vote on a constitutional amendment requiring land to be taken only for public use, ending

the seizure of property for use by a private developer. Additionally, local governments can

no longer condemn an entire area for redevelopment by claiming it is blighted without proving

that each section is blighted. The amendment also protects Texas landowners against further

grants of eminent domain authority by requiring each new grant to receive a 2/3 vote in each

house of the Legislature. Texas voters passed this amendment in November 2009.

"I am proud that our private property owners' rights are better protected with the passage of

SB 18," Rep. Charlie Geren said. "This is a great accomplishment and took a lot of hard work

from many Texans across the state."

"This is a major victory for the people of Texas and a great accomplishment by Gov. Perry



and our Legislature," Agriculture Commissioner Todd Staples said. "The signing of this bill

says, 'Don't mess with Texas, and don't mess with Texas land.' SB 18 sends a

# clear message

that here in the  
Lone Star State, we  
hold dear to our  
heritage of land  
ownership."



# **Good News in Austin : Grassroots Are Growing by Sheila Cox ,**

Legislative  
Chairman, [sheila\\_cox77@yahoo](mailto:sheila_cox77@yahoo.com)  
.com

There is good news  
in Austin for those

concerned with  
eminent domain in  
Texas .

Senate Bill 18,  
authored by  
Senator Craig

# Estes (R-Wichita Falls, District 30)

successfully  
passed in both the  
House and Senate  
with what may be

unprecedented

unanimous votes in  
the legislative  
process. SB 18  
heralds the  
beginning of

# eminent

domain reform in  
our state and many  
applaud what it will  
accomplish.



# **More Good News: SB 18 reached its destination, and Governor Perry signed**

**□ it into law on**

**Thursday, May 19,  
with a ceremonial  
signing for press  
coverage**

**today, May 23.  
The law becomes**

**effective on  
September 1,  
2011. On May  
10th, in**

**a conference  
call hosted by**

# Michael Quinn Sullivan with *Empo* *wer Texans,* Governor

## Perry repeatedly emphasized to

**those of us  
participating in  
the call that  
grassroot**

**efforts by Texans  
is a very**

**persuasive factor  
in Texas  
legislation. The  
successful**

**passage of SB 18  
is proof of**

**accuracy in  
Perry's statement  
about grassroots**

**effectiveness.**

Many individuals  
and groups have

participated  
in statewide efforts  
to

promote the  
passage of SB 18.  
And last February,



# Cooke County Republican Women

launched a  
massive statewide  
effort—encouraging

not only CCRW  
members to get  
involved,

but also soliciting  
the support of  
TFRW clubs

throughout  
Texas—with a  
three-point plan to  
be

informed, to inform  
others, and to

influence the vote  
for passage of SB  
18 for eminent  
domain

reform. A large  
debt of gratitude is

owed to Senator  
Estes and State  
Representative  
Rick

Hardcastle  
(R-Vernon, District

68). They have  
championed the  
cause for eminent  
domain

reform in Texas .  
Both of these

elected officials  
have met with me  
during the past five  
years

in discussions  
about the need for

such reform. But  
more importantly  
than just meeting  
with

many others as  
well, these two



elected officials and  
all those who voted  
in the House and

Senate to pass SB  
18 have truly  
listened to

the people of  
Texas!

We tip our hats to  
all of

our senators and

representatives, to  
all CCRW  
members and all  
others who helped  
in this

effort, as we say a

great big  
Texas-sized “thank  
you” for a job well  
done.

**And the same  
big “thank you”  
goes to  
Governor Perry**

**for declaring  
eminent  
domain as an  
emergency  
item, and for  
his signing of  
SB 18 into law.  
Stand tall and**

**proud, all of  
you are Texas  
heroes. □**