



## Top Stories

# Bill to protect property rights among governor's vetoes 📺

06:38 PM CDT on Friday, June 15, 2007

By ELISE HU  
KVUE News

Governor Rick Perry vetoed on Friday a comprehensive piece of legislation designed to give property owners more eminent domain protections.



[Click here for larger video](#)

Remember Harry Whittington?

He's famous for being shot by Vice President Dick Cheney, but he's a big Austin real estate owner, too. A jury recently ordered the City of Austin to pay Whittington \$10.5 million for acting illegally in taking a block of downtown land that he owned.

"The city of Austin took it, problem was, they didn't say what they were taking it for," said Bill Peacock, analyst with the Texas Public Policy Foundation.

Peacock said the case shows by property owners need more eminent domain protections in the law.

"While [Whittington] can afford to go through such a process, most property owners can't," said Peacock.

So this past session, lawmakers passed HB 2006, an bill designed to clarify and put some limitations on eminent domain.

"It would have required cities and counties come up with valid reasons for taking property, and defined public use," Peacock said.

But instead of signing the bill, the Governor vetoed it.

"No governor could ever sign this bill," said State Rep. Mike Krusee, R-Round Rock.

Krusee and Perry both liked the bulk of the legislation, but didn't like an 11th hour amendment requiring the state to compensate property owners for "disturbed access" -- which can include even small changes to the way people get to their homes or businesses.

"The cost of that would be so high that you couldn't build anymore roads in Texas," said Krusee.

The amendment ultimately led the rest of the bill to be rejected. Perry has until Sunday to veto or sign the thousands of bills lawmakers have sent him.