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An important health care law update from the law firm of Jackson Walker.

December 17, 2012

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Act Quickly To Retain Eminent Domain Authority

By **Jeff Drummond** and **Kelly Barreto**

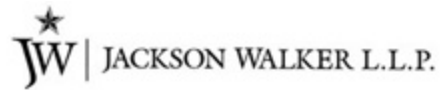
Public and private entities in Texas that currently have the authority to exercise eminent domain — including many hospital districts, municipal hospital authorities, and county hospital authorities — will need to act quickly to keep it. This is because pursuant to Chapter 2206, Subchapter C, Government Code (as added by Senate Bill 18 in the last Regular Session of the Texas Legislature), all entities authorized by the state to exercise the power of eminent domain are required to submit to the State Comptroller a letter acknowledging that they have such power and referencing each provision of law that grants the entity such authority. The letter must be sent **by December 31, 2012**, via certified mail, return receipt requested, to the Comptroller of Public Accounts, P.O. Box 13942, Austin, Texas 78711.

To assist entities in providing the required information, the Comptroller has published a form that entities may submit. Such form may be located online at www.window.state.tx.us/taxinfo/taxforms/50-802.pdf.

Entities that do not submit this form or a letter complying with the statutory provisions will lose their eminent domain authority on September 1, 2013.

If you have questions about the required notice to the Comptroller or need assistance determining the law providing for your eminent domain authority, Jackson Walker's Health Care Law section is ready to help. Please contact **Jeff Drummond** at jdrummond@jw.com or **Kelly Cavazos Barreto** at kbarreto@jw.com.

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