

By: Canales

H.B. No. 3713

A BILL TO BE ENTITLED

AN ACT

relating to the conveyance of certain real property by certain navigation districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 60, Water Code, is amended by adding Section 60.0381 to read as follows:

Sec. 60.0381. CONVEYANCE OF LAND BY CERTAIN NAVIGATION DISTRICTS. (a) This section applies only to a district that controls a ship channel or waterway that is the subject of a project for deepening the channel or waterway that has been authorized or modified by the United States Congress in the Water Resources Reform and Development Act of 2014 or the Water Resources Development Act of 2020.

(b) Notwithstanding any other provision of law, to the extent that a district has entered into a surface lease with an original term of at least 20 years, the district may sell the land, improvements, easements, or any other interests in the real property to the surface lease counterparty according to this section. The land, improvements, easements, or any other interests in real property may be conveyed by the district to the surface lease counterparty, without complying with the notice and bidding or other requirements of Sections 60.040-60.042. The sale must be:

(1) approved by the port commission;

(2) executed by the chair of the port commission;

1 (3) attested by the executive director of the
2 district; and

3 (4) made for an amount that is not less than the
4 reasonable market value of the land, improvements paid for by the
5 district, easements, or other interest in real property, as
6 applicable, at the time of contracting for the sale.

7 (c) Money received from the sale of real property as
8 described by this section in excess of the reasonable market value
9 of the property may be used only for the purpose of deepening and
10 widening of the channel or waterway.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2021.