

By: Murr

H.B. No. 149

A BILL TO BE ENTITLED

AN ACT

relating to the sale of park land owned by certain municipalities.

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

SECTION 1. Section 253.001(f), Local Government Code, is amended to read as follows:

(f) The election requirements of Subsection (b) do not apply to a conveyance of a park if:

(1) the park is owned by a home-rule municipality ~~[with a population of more than one million];~~

(2) it is a park of two acres or less;

(3) the park is no longer usable and functional as a park;

(4) the proceeds of the sale will be used to acquire land for park purposes;

(5) a public hearing on the proposed conveyance is held by the governing body of the home-rule municipality and that body finds that the property is no longer usable and functional as a park; and

(6) the park is conveyed pursuant to an ordinance adopted by the governing body of the home-rule municipality, unless within 60 days from the date of the public hearing the governing body of the home-rule municipality is presented with a petition opposing the conveyance which contains the name, address, and date of signature of no less than 1,500 registered voters residing

1 within the municipal limits of the municipality; then, the  
2 governing body of the home-rule municipality shall either deny the  
3 conveyance or shall approve the conveyance subject to the election  
4 required in Subsection (b); or

5           (7) the conveyance involves an exchange of two  
6 existing parks, situated within a home-rule municipality with a  
7 population of more than one million, that together total 1.5 acres  
8 or less in size, that are located within 1,000 feet of each other,  
9 that are located in an industrial area, that have been found in a  
10 public hearing to no longer be usable and functional as parks, and  
11 that are conveyed pursuant to an ordinance, adopted by the  
12 governing body of that municipality, that has an effective date  
13 before December 1, 1993.

14           SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2023.