

By: Herrero

H.B. No. 4844

A BILL TO BE ENTITLED

AN ACT

relating to the use of a broker for the sale of real property by the Nueces County Hospital District.

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

SECTION 1. Subchapter C, Chapter 281, Health and Safety Code, is amended by adding Section 281.061 to read as follows:

Sec. 281.061. NUECES COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this section:

(1) "Broker" means a person licensed as a broker under Chapter 1101, Occupations Code.

(2) "District" means the Nueces County Hospital District.

(b) Except as provided by Subsection (c), the Nueces County Hospital District may contract with a broker to sell a tract of real property that is owned by the district.

(c) The district may not contract with a broker who is related within the third degree of consanguinity, as determined under Chapter 573, Government Code, to:

(1) a member of the board of hospital managers of the district; or

(2) a public official who serves on the Nueces County Commissioners Court.

(d) The district may pay a fee if a broker produces a ready,

1 willing, and able buyer to purchase a tract of real property.

2 (e) If a contract made under Subsection (b) requires a  
3 broker to list the tract of real property for sale for at least 30  
4 days with a multiple-listing service used by other brokers in the  
5 county in which the real property is located, the district, on or  
6 after the 30th day after the date the property is listed, may sell  
7 the tract of real property to a ready, willing, and able buyer who  
8 is produced by any broker, including a broker described by  
9 Subsection (c), using the multiple-listing service and who submits  
10 the most advantageous offer.

11 (f) The district must post a notice of intent to sell the  
12 real property in a newspaper of general circulation, not less than  
13 once, at least 14 days before the date the district accepts an offer  
14 produced by a broker.

15 (g) The district may sell a tract of real property under  
16 this section without complying with the requirements of Section  
17 272.001, Local Government Code.

18 (h) The district may not sell a tract of real property under  
19 this section for less than the fair market value of the tract of  
20 real property, as determined by an appraisal obtained by the  
21 district.

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