

By: Sherman, Sr.

H.B. No. 5080

A BILL TO BE ENTITLED

AN ACT

relating to authorizing certain municipalities to exchange certain property with a private person.

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

SECTION 1. Chapter 253, Local Government Code, is amended by adding Section 253.015 to read as follows:

Sec. 253.015. EXCHANGE OF CERTAIN PARK LAND WITH PRIVATE PERSONS. (a) This section applies to a municipality with a population greater than 290,000.

(b) A municipality may, for consideration described by this section, exchange real property with a private person for real property without complying with the notice and bidding requirements of Section 272.001(a) or other law.

(c) A municipality may only exchange property under this section if the property is:

(1) owned by the municipality;

(2) 10 acres or less; and

(3) currently being used as a park, recreation area, or wildlife refuge.

(d) Consideration for an exchange of real property authorized by this section is in the form of an agreement between the parties that requires the private person to use the property for one or more of the following purposes that benefits the municipality:

- 1           (1) affordable housing;
- 2           (2) a park; or
- 3           (3) improvements or amenities compatible with use as a
- 4 park.

5           (e) If the private person fails to use the exchanged real  
6 property in the manner provided by the agreement between the  
7 private party and the municipality, the transfer of the property is  
8 void and ownership of the exchanged property automatically reverts  
9 to the municipality and the private person as before the transfer  
10 took place.

11           SECTION 2. This Act takes effect September 1, 2023.