

By: Geren

H.B. No. 1304

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the receipts from the sale of land by the Parks and  
3 Wildlife Department

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

5 SECTION 1. Section 13.009, Parks and Wildlife Code, is  
6 amended to read as follows:

7 Sec. 13.009. SALE OR EXCHANGE OF LAND. (a) The director  
8 with the approval of the commission may execute a deed exchanging  
9 real property or an interest in real property either as all or  
10 partial consideration for other real property or interest in real  
11 property. The director with the approval of the commission may  
12 execute a deed selling real property or an interest in real property  
13 under the jurisdiction of the department if ownership of the real  
14 property is no longer in the best interest of the department.

15 (b) The department shall receive a good and marketable title  
16 to all land exchanged under this section.

17 (c) All land to be received in the exchange must be  
18 appraised and if the land to be received is of greater value, as  
19 determined by an independent and competent appraisal, than the  
20 state land exchanged, the department may use funds available for  
21 land acquisitions as a partial consideration for the exchange.

22 (d) The receipts from the sale of land under this section  
23 shall be deposited in the General Revenue Fund ~~used for improving~~  
24 ~~or acquiring other real property dedicated to the same purpose for~~

1 ~~which the land sold was dedicated].~~

2 (e) Notwithstanding any other law or charter provision to  
3 the contrary, the department and a municipality may agree to  
4 exchange park properties under the control or management of the  
5 department or municipal government on the following conditions:

6 (1) the properties to be exchanged shall continue to  
7 be dedicated park properties and used for park purposes;

8 (2) no election is required by the municipality to  
9 authorize exchange; and

10 (3) all of the provisions of Subsections (a) through  
11 (d) of this section are complied with by the department.

12 SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If it does  
15 not receive the vote necessary for immediate effect, this Act takes  
16 effect September 1, 2003.