

By: Hilderbran

H.B. No. 1633

A BILL TO BE ENTITLED

1 AN ACT

2 relating to donation of certain surplus school district property to  
3 preserve the property.

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

5 SECTION 1. Sections 11.1541(a) and (b), Education Code, are  
6 amended to read as follows:

7 (a) The board of trustees of an independent school district  
8 may, by resolution, authorize the donation of real property and  
9 improvements formerly used as a school campus to a municipality,  
10 county, state agency, or nonprofit organization if:

11 (1) before adopting the resolution, the board holds a  
12 public hearing concerning the donation and, in addition to any  
13 other notice required, gives notice of the hearing by publishing  
14 the subject matter, location, date, and time of the hearing in a  
15 newspaper having general circulation in the territory of the  
16 district;

17 (2) the board determines that:

18 (A) the improvements have historical  
19 significance;

20 (B) the transfer will further the preservation of  
21 the improvements; and

22 (C) at the time of the transfer, the district  
23 does not need the real property or improvements for educational  
24 purposes; and

1 (3) ~~[the real property and improvements:~~

2 ~~[(A) were donated to the district; and~~

3 ~~[(B) at the time of the transfer, are used as a~~  
4 ~~community center; and~~

5 ~~[(4)]~~ the entity to whom the transfer is made has  
6 shown, to the satisfaction of the board, that the entity intends to  
7 continue to use the real property and improvements ~~[as a community~~  
8 ~~center]~~ for public purposes~~[, such as youth or senior citizen~~  
9 ~~activities, fund-raisers for noncommercial groups in the~~  
10 ~~community, or educational or entertainment events].~~

11 (b) The president of the board of trustees shall execute a  
12 deed transferring ownership of the real property and improvements  
13 to the municipality, county, state agency, or nonprofit  
14 organization. The deed must:

15 (1) recite the resolution of the board authorizing the  
16 donation; and

17 (2) provide that ownership of the real property and  
18 improvements revert to the district if the municipality, county,  
19 state agency, or nonprofit organization:

20 (A) discontinues use of the real property and  
21 improvements ~~[as a community center]~~ for public purposes; or

22 (B) executes a document that purports to convey  
23 the property.

24 SECTION 2. The amendment to Sections 11.1541(a) and (b),  
25 Education Code, by this Act, does not affect the terms of a deed  
26 entered into under Section 11.1541, Education Code, before  
27 September 1, 2003.

1 SECTION 3. This Act takes effect September 1, 2003.