

By: Swinford

H.B. No. 3383

Substitute the following for H.B. No. 3383:

By: Hardcastle

C.S.H.B. No. 3383

A BILL TO BE ENTITLED

AN ACT

relating to agricultural development districts.

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

SECTION 1. Section 60.032, Agriculture Code, is amended by adding Subsection (c) to read as follows:

(c) If the proposed district contains not more than 25 registered voters, Section 41.001(a), Election Code, does not apply to the election.

SECTION 2. Section 60.063, Agriculture Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) Except as provided by Subsection (e), any ~~Any~~ person who proposes to sell or convey real property located in a district must first give to the purchaser written notice that the property is located in the district. The notice must be given to the prospective purchaser prior to execution of a binding contract of sale and purchase either separately or as an addendum or paragraph of a purchase contract. The purchaser shall sign the notice as evidence of receipt.

(d) The board shall prescribe the form for notice under this section.

(e) A seller is not required to give notice under this section if:

(1) the seller is obligated under a written contract

1 to furnish to the buyer a title insurance commitment before the
2 contract closing; and

3 (2) the purchaser is entitled under the contract to
4 terminate the contract because the property is located in a
5 district.

6 SECTION 3. Subchapter C, Chapter 60, Agriculture Code, is
7 amended by adding Section 60.0631 to read as follows:

8 Sec. 60.0631. FILING INFORMATION. (a) A district shall
9 file with the department and the county clerk in each county in
10 which all or part of the district is located:

11 (1) the form described by Subsection (b);

12 (2) a complete and accurate map or plat showing the
13 boundaries of the district; and

14 (3) a copy of the form for notice to purchasers
15 required by Section 60.063.

16 (b) The information form filed by a district under this
17 section must include:

18 (1) the name of the district;

19 (2) a complete and accurate legal description of the
20 boundaries of the district;

21 (3) the most recent rate of any assessments in the
22 district;

23 (4) the total amount of any bonds that have been
24 approved by the voters of the district, other than refunding bonds
25 and any bonds or portion of bonds payable solely from revenues
26 received under a contract with a governmental entity;

27 (5) the date on which the election to confirm the

1 creation of the district was held; and

2 (6) a statement of the functions performed by the
3 district.

4 (c) The information form and map or plat required by this
5 section must be signed by a majority of the members of the board and
6 by each board officer before it is filed with the department and
7 each appropriate county clerk, and each amendment made to an
8 information form, map, or plat must be signed by the members of the
9 board and by each board officer.

10 (d) The information form required by this section must be
11 filed with each appropriate county clerk and the department not
12 later than 48 hours after the district is approved by an election
13 under Section 60.032 and the election results are certified.

14 (e) Not later than the seventh day after the date of any
15 change in any information contained in the district information
16 form, map, or plat, the district shall file with the department and
17 each appropriate county clerk an amendment to the information form,
18 map, or plat that describes the change.

19 (f) If a district is dissolved, annexed, or consolidated,
20 the board shall file with the department and each appropriate
21 county clerk a statement of the effective date of the dissolution,
22 annexation, or consolidation. A person who sells or conveys
23 property within a dissolved district is not required to give notice
24 under Section 60.063.

25 SECTION 4. Not later than September 30, 2003, the board of
26 directors of each Texas Agricultural Development District shall
27 prescribe a form for notice to purchasers under Section 60.063,

1 Agriculture Code, as amended by this Act.

2 SECTION 5. A Texas Agricultural Development District
3 established on or before October 1, 2003, shall, not later than
4 October 3, 2003, file the information form described by Section
5 60.0631, Agriculture Code, as added by this Act.

6 SECTION 6. This Act takes effect September 1, 2003.