

1-1 By: Swinford (Senate Sponsor - Estes) H.B. No. 3383
1-2 (In the Senate - Received from the House May 1, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 22, 2003, reported favorably by the following vote:
1-5 Yeas 10, Nays 0; May 22, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to agricultural development districts.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 60.032, Agriculture Code, is amended by
1-11 adding Subsection (c) to read as follows:

1-12 (c) If the proposed district contains not more than 25
1-13 registered voters, Section 41.001(a), Election Code, does not apply
1-14 to the election.

1-15 SECTION 2. Section 60.063, Agriculture Code, is amended by
1-16 amending Subsection (a) and adding Subsections (d) and (e) to read
1-17 as follows:

1-18 (a) Except as provided by Subsection (e), any [Any] person
1-19 who proposes to sell or convey real property located in a district
1-20 must first give to the purchaser written notice that the property is
1-21 located in the district. The notice must be given to the
1-22 prospective purchaser prior to execution of a binding contract of
1-23 sale and purchase either separately or as an addendum or paragraph
1-24 of a purchase contract. The purchaser shall sign the notice as
1-25 evidence of receipt.

1-26 (d) The board shall prescribe the form for notice under this
1-27 section.

1-28 (e) A seller is not required to give notice under this
1-29 section if:

1-30 (1) the seller is obligated under a written contract
1-31 to furnish to the buyer a title insurance commitment before the
1-32 contract closing; and

1-33 (2) the purchaser is entitled under the contract to
1-34 terminate the contract because the property is located in a
1-35 district.

1-36 SECTION 3. Subchapter C, Chapter 60, Agriculture Code, is
1-37 amended by adding Section 60.0631 to read as follows:

1-38 Sec. 60.0631. FILING INFORMATION. (a) A district shall
1-39 file with the department and the county clerk in each county in
1-40 which all or part of the district is located:

1-41 (1) the form described by Subsection (b);

1-42 (2) a complete and accurate map or plat showing the
1-43 boundaries of the district; and

1-44 (3) a copy of the form for notice to purchasers
1-45 required by Section 60.063.

1-46 (b) The information form filed by a district under this
1-47 section must include:

1-48 (1) the name of the district;

1-49 (2) a complete and accurate legal description of the
1-50 boundaries of the district;

1-51 (3) the most recent rate of any assessments in the
1-52 district;

1-53 (4) the total amount of any bonds that have been
1-54 approved by the voters of the district, other than refunding bonds
1-55 and any bonds or portion of bonds payable solely from revenues
1-56 received under a contract with a governmental entity;

1-57 (5) the date on which the election to confirm the
1-58 creation of the district was held; and

1-59 (6) a statement of the functions performed by the
1-60 district.

1-61 (c) The information form and map or plat required by this
1-62 section must be signed by a majority of the members of the board and
1-63 by each board officer before it is filed with the department and
1-64 each appropriate county clerk, and each amendment made to an

2-1 information form, map, or plat must be signed by the members of the
2-2 board and by each board officer.

2-3 (d) The information form required by this section must be
2-4 filed with each appropriate county clerk and the department not
2-5 later than 48 hours after the district is approved by an election
2-6 under Section 60.032 and the election results are certified.

2-7 (e) Not later than the seventh day after the date of any
2-8 change in any information contained in the district information
2-9 form, map, or plat, the district shall file with the department and
2-10 each appropriate county clerk an amendment to the information form,
2-11 map, or plat that describes the change.

2-12 (f) If a district is dissolved, annexed, or consolidated,
2-13 the board shall file with the department and each appropriate
2-14 county clerk a statement of the effective date of the dissolution,
2-15 annexation, or consolidation. A person who sells or conveys
2-16 property within a dissolved district is not required to give notice
2-17 under Section 60.063.

2-18 SECTION 4. Not later than September 30, 2003, the board of
2-19 directors of each Texas Agricultural Development District shall
2-20 prescribe a form for notice to purchasers under Section 60.063,
2-21 Agriculture Code, as amended by this Act.

2-22 SECTION 5. A Texas Agricultural Development District
2-23 established on or before October 1, 2003, shall, not later than
2-24 October 3, 2003, file the information form described by Section
2-25 60.0631, Agriculture Code, as added by this Act.

2-26 SECTION 6. This Act takes effect September 1, 2003.

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