

By: Jackson

S.B. No. 1760

A BILL TO BE ENTITLED

AN ACT

relating to the leasing of real property owned or controlled by a county to an elected state official.

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

SECTION 1. Subsection (e), Section 263.007, Local Government Code, is amended by adding a new Subdivision (3) and redesignating existing Subdivision (3) as Subdivision (4) to read as follows:

(3) The commissioners court of a county may lease real property within the county that is owned or controlled by the county to an elected state official to conduct official state business or such other activities as the commissioners court determines to be in the public interest, without using the sealed-bid or sealed-proposal procedure described in Subsection (a) and without using any other competitive bidding process which would otherwise be required by law.

(4) If the commissioners court of a county chooses to lease under this subsection, the commissioners court shall declare its intent to do so through written notice posted in the same place and manner as the commissioners court posts its regular meeting agenda not later than 30 days prior to the beginning of the lease period. In setting the terms and conditions of the lease, including but not limited to the amount of the lease payment, the commissioners court may consider local business custom regarding

1 leases and the reasonable market value of the leasehold, but the
2 commissioners court is not bound thereby and may also consider the
3 extent to which the provision of services or the other activities to
4 be performed by the lessee will benefit the public. This subsection
5 does not limit the ability of a commissioners court to enter into
6 interlocal agreements, contracts, or any other arrangement
7 permitted by law.

8 SECTION 2. This Act takes effect September 1, 2003.