

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 22, 2003

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB335 by Hamric (Relating to the public sale of certain real property; providing penalties.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would require persons bidding on real property at court-ordered public sales or tax sales to obtain a written statement from the county assessor-collector where the sale occurs stating that the person did not owe delinquent property taxes to that county or to a school district or municipality having territory in that county. This provision would not impact taxable property values reported to the Commissioner of Education by the Comptroller. As a result, no fiscal impact to the State for this provision is anticipated.

The bill would also require the conveyance of mineral rights to the Permanent School Fund, before real property owned by the Parks and Wildlife Department (TPWD) is sold to a private entity. According to TPWD, properties scheduled for sale or transfer fit three categories: (1) identified for disposition by the Texas General Land Office 2001 or 2002, (2) recommended for sale or transfer by the TPWD Land and Water Resources Conservation and Recreation Plan, (3) or action approved by the Texas Parks and Wildlife Commission. Within these categories, the properties that have highest and best use identified as "commercial-residential use" and that TPWD may own both the mineral and surface interest include: Austin Training Academy, Daingerfield State Park, Guadalupe River SP, Pedernales Falls SP, McKinney Falls SP, Eagle Mountain Lake SP, Tyler Fish Hatchery, Wise County SP, Seabrook Marine Lab, and Boca Chica SP. To the extent that the properties were sold at a lower price because of a diversion of the mineral interest from the potential buyer, this provision could result in less land sale revenue; however, the Permanent School Fund would benefit from the conveyance of mineral rights.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JK, DLBa, WP, DLBe