

BILL ANALYSIS

Senate Research Center
80R477 PAM-F

H.B. 680
By: Swinford (Seliger)
Intergovernmental Relations
5/1/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 253.001(b), Local Government Code, prohibits a municipality from selling park land unless it is approved by the voters at an election. However, the section has been amended by Section 253.001(e)-(g) which allowed home-rule municipalities to sell park land without voter approval under limited circumstances.

H.B. 680 allows a home-rule municipality to sell a small part of a park without voter approval, thereby without incurring the costs of an election. The proceeds of the sale will be used for the improvement of park property.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 253.001, Local Government Code, by amending Subsection (g) and adding Subsections (j) and (k), as follows:

(g) Adds a sale made under Subsection (j) to the sales that are exempt from the notice and bidding requirements in Chapter 272 (relating to the sale or lease of property by municipalities, counties, and certain other local government units).

(j) Provides that Subsection (b), relating to certain public land that is prohibited from being sold unless certain requirements are met, does not apply to a conveyance of park land that meets certain listed criteria.

(k) Requires a petition for the judicial review of the sale of park land under Subsection (j) to be filed on or before the 30th day after the date the ordinance or resolution is adopted and provides that a petition filed after the period prescribed by this subsection is barred.

SECTION 2. Effective date: upon passage or September 1, 2007.