

AN ACT

relating to the sale of certain real property at an ad valorem tax sale and to the right of redemption in connection with that real property.

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

SECTION 1. Subchapter C, Chapter 33, Tax Code, is amended by adding Section 33.58 to read as follows:

Sec. 33.58. ALTERNATIVE NOTICE OF FORECLOSURE FOR PARCELS IN CERTAIN MUNICIPALITIES. (a) This section may be invoked and used by one or more taxing units if there are delinquent taxes, penalties, interest, and attorney's fees owing to a taxing unit on a parcel of real property and there are five or more years for which delinquent taxes are owed on the parcel, if the parcel is located in a municipality having a population of more than 100,000 that is situated in two or more counties, at least two of which have a population of more than one million, and in a subdivision having an average lot size of one-fifth of an acre or less.

(b) If a taxing unit invokes this section, the procedures and other provisions of Section 33.57 apply except as otherwise provided by this section.

(c) Notwithstanding Section 33.57(c), a petition for foreclosure under this section is sufficient if it is in substantially the form prescribed by Section 33.43 and further alleges the grounds for invoking this section provided by

1 Subsection (a).

2 (d) Notwithstanding Section 33.57(e), a court shall approve
3 a motion under Section 33.57(d) if the documents in support of the
4 motion show that the grounds for invoking this section provided by
5 Subsection (a) exist.

6 (e) If a taxing unit's petition includes multiple parcels of
7 property and if requested by the taxing unit, the court's order of
8 sale shall provide that the officer conducting the sale shall sell
9 the parcels in solido, regardless of whether the parcels adjoin one
10 another or have common ownership.

11 (f) If the officer conducting the sale of the property is
12 ordered to sell the property in solido under Subsection (e), the
13 officer shall use, in calculating the minimum bid amount under
14 Section 33.50(b) or (c), as appropriate:

15 (1) the aggregate of all amounts awarded against the
16 multiple parcels of property as the aggregate amount of the
17 judgments; or

18 (2) the aggregate of the adjudged market values of the
19 multiple parcels of property as the market value of the property
20 stated in the judgment.

21 (g) If multiple parcels of property are sold in solido under
22 an order of sale issued under Subsection (e), the amounts
23 prescribed by Section 34.21 that must be paid in redeeming property
24 shall, for the purpose of redeeming an individual parcel of
25 property, be in an amount equal to the taxes, penalties, interest,
26 and attorney's fees adjudged against that individual parcel.

27 (h) This section expires September 1, 2017.

1 SECTION 2. The change in law made by this Act applies only
2 to an action brought on or after the effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 1899 was passed by the House on April 5, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1899 on May 24, 2007, by the following vote: Yeas 142, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1899 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor