

By: Guillen

H.B. No. 2618

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing political subdivisions to lease property
3 owned by the political subdivision to other governmental entities
4 without following competitive purchasing procedures.

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

6 SECTION 1. Chapter 272, Local Government Code, is amended
7 by adding Section 272.005 to read as follows:

8 Sec. 272.005. LEASE OF PROPERTY TO GOVERNMENTAL ENTITY.

9 (a) To promote a public purpose of the political subdivision, a
10 political subdivision may:

11 (1) lease property owned by the political subdivision
12 to another political subdivision or an agency of the state or
13 federal government; or

14 (2) make an agreement to provide office space in
15 property owned by the political subdivision to the other political
16 subdivision or agency.

17 (b) In acting under Subsection (a), the political
18 subdivision:

19 (1) shall determine the terms of the lease or
20 agreement so as to promote and maintain the public purpose;

21 (2) may provide for the lease of the property or
22 provision of the office space at less than fair market value; and

23 (3) is not required to comply with any competitive
24 purchasing procedure or any notice and publication requirement

1 imposed by this chapter or other law.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.