

1-1 By: Wentworth, Van de Putte S.B. No. 270
1-2 (In the Senate - Filed January 23, 2007; January 30, 2007,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; May 3, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 2;
1-6 May 3, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 270 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to mandatory sales price disclosure in certain real
1-11 property sales; providing a civil penalty.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 12, Property Code, is amended by adding
1-14 Section 12.0011 to read as follows:

1-15 Sec. 12.0011. MANDATORY SALES PRICE DISCLOSURE. (a) In
1-16 this section:

1-17 (1) "Commercial property" means real property that is
1-18 primarily used in the course of business that provides items for
1-19 sale or services to the general public.

1-20 (2) "Multifamily residential property" means real
1-21 property that includes residential improvements containing two or
1-22 more residential units under single ownership.

1-23 (3) "Vacant land" means unimproved real property.

1-24 (b) A person may not file for record or have recorded in the
1-25 county clerk's office an instrument conveying commercial property,
1-26 multifamily residential property, or vacant land under a contract
1-27 for sale unless the instrument discloses the sales price of the
1-28 property.

1-29 (c) The purchaser of any property for which an instrument is
1-30 recorded in violation of Subsection (b) is liable to the state for a
1-31 civil penalty for each violation in an amount equal to five percent
1-32 of the sales price of the property.

1-33 (d) The attorney general or the county or district attorney
1-34 for the county in which the property is located may bring suit to
1-35 recover a penalty under this section.

1-36 (e) This section does not apply to an instrument conveying
1-37 only a mineral interest in real property.

1-38 SECTION 2. This Act takes effect September 1, 2007.

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