

By: Hegar, Huffman

S.B. No. 1149

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the Texas Board of Criminal Justice to sell certain real property for municipal airport expansion.

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

SECTION 1. Section 496.0021, Government Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The board shall authorize the sale of land directly to a municipality at fair market value without the requirement of a sealed bid sale if:

(1) the municipality seeking to acquire the land notifies the department in writing of the municipality's desire to acquire the land for municipal airport expansion;

(2) the land is located next to an active runway of a municipally owned airport;

(3) the municipality is acquiring the land to expand municipal airport facilities; and

(4) the department primarily uses the land for guard housing.

(d) After receiving the notice required by Subsection (c), the board shall:

(1) obtain an appraisal of the land to be sold to the municipality;

(2) request that the municipality provide the board with an appraisal of the land to be sold;

1           (3) determine whether a third appraisal by an  
2 appraiser mutually selected by the department and municipality is  
3 necessary to determine fair market value of the land to be sold; and

4           (4) finalize the sale of the land to the municipality  
5 at fair market value within 18 months of receiving the written  
6 notice under Subsection (c).

7           (e) In determining the fair market value of land to be sold  
8 under Subsection (c), the department shall consider the necessary  
9 remediation that must be completed before the land can be used for  
10 airport expansion. If a third appraisal is required under  
11 Subsection (d), the fair market value is considered to be the  
12 average of the three appraisals required under this section minus  
13 any remediation costs.

14           SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2009.