

**House Bill 2647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SECTION 1. Section 54.040(a), Local Government Code, is amended to read as follows:

(a) An order issued under Section 54.036, including any civil penalties assessed under Section 54.036(5), is enforceable in the same manner as provided in Sections 214.001(k), (m), (n), and (o). An abstract of judgment shall be ordered [~~issued~~] against all parties found to be the owners of the subject property or in possession of that property.

No equivalent provision.

SENATE VERSION

SECTION 1. Section 54.018(b), Local Government Code, is amended to read as follows:

(b) In an action under this section, the municipality may also bring:

- (1) a claim for civil penalties under Section 54.017; and
- (2) an action in rem against the structure that may result in a judgment against the structure as well as a judgment against the defendant.

SECTION 2. Same as House version.

SECTION 3. Sections 214.003(a), (b), (c), and (i), Local Government Code, are amended to read as follows:

(a) A home-rule municipality may bring an action in district court against an owner of property that is not in substantial compliance with:

- (1) the municipal ordinances regarding:
  - (A) [~~(1)~~] fire protection;
  - (B) [~~(2)~~] structural integrity;
  - (C) [~~(3)~~] zoning; or

CONFERENCE

**House Bill 2647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

~~(D) [(4)] disposal of refuse; or~~  
~~(2) a municipal ordinance described by Section 54.012(1), (2), (5), (6), (7), or (9).~~  
(b) Except as provided by Subsection (c), the court may appoint as a receiver for the property a nonprofit organization or an individual with a demonstrated record of rehabilitating properties if the court finds that:  
(1) the structures on the property are in violation of the standards set forth in Section 214.001(b) and an ordinance described by Subsection (a);  
(2) notice of violation was given to the record owner of the property; and  
(3) a public hearing as required by Section 214.001(d) has been conducted.  
(c) A receiver appointed under Subsection (b) may act ~~[The court may appoint]~~ as a receiver for any property, including historic property subject to Section 214.00111 ~~[a nonprofit organization or an individual with a demonstrated record of rehabilitating historical buildings if the court finds that:~~  
~~[(1) the structures on the property are in violation of the standards established under Section 214.001(b) and an ordinance described by Subsection (a);~~  
~~[(2) the structure has been reviewed by the municipal historic preservation board and the structure meets the criteria set forth in Section 214.00111;~~  
~~[(3) notice of the violation was given to the record owner of the property; and~~  
~~[(4) a public hearing as required by Section 214.001 has been conducted].~~

**House Bill 2647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

- (i) Any record lienholder may, after initiation of an action by a municipality:
  - (1) intervene in the action; and
  - (2) request appointment as a receiver:
    - (A) under the same conditions as the nonprofit organization or individual; and
    - (B) on a demonstration to the court of an ability and willingness to rehabilitate the property.

SECTION 2. This Act takes effect September 1, 2009.

SECTION 4. Same as House version.