

BILL ANALYSIS

H.B. 2584
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Alleyways between buildings and residences are often used as access points for public utility workers such as electricians and maintenance crews. Many times, these alleys are legally owned by large cities, who incur all of the financial expenses associated with clearing trees, brush, weeds, and trash from the alleys, or otherwise maintaining them. These expenses may cost municipal taxpayers hundreds of thousands of dollars every year.

Interested parties contend that, currently, municipalities sell abandoned alleys but must comply with requirements associated with the sale of property, which can be time-consuming, costly, and burdensome. Additionally, these parties contend that alleyways often have little or no value to a municipality because the proceeds of such a sale can be used only to acquire or improve other property with a similar use or purpose.

H.B. 2584 seeks to alleviate this burden on certain municipalities and improve the health, safety, and welfare of the nearby landowners by authorizing certain municipalities to donate alleyways of little or no value to adjacent landowners in order to relieve the taxpayers of the cost of maintaining them. This could, in some cases, increase the value of privately owned land and give landowners access to additional real estate on which to make improvements.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2584 amends the Local Government Code to authorize the governing body of a municipality with a population greater than 150,000 and less than 200,000 that is located in three counties to determine that real property located inside the boundaries of the municipality and owned by the municipality is surplus real property of negligible or negative value if the property is not improved, including by having a structure on it or by being paved; ownership of the property does not provide and is not likely to provide any identifiable positive benefit to the municipality in relation to the municipality's current and future needs; and the cost of maintaining the property is a substantial burden to the municipality.

H.B. 2584 requires the governing body that makes such a determination to adopt written findings and conclusions regarding the determination made. The bill authorizes the governing body that makes that determination that certain real property is surplus real property of negligible or negative value to donate that property to a private person who owns property adjacent to the surplus real property of negligible or negative value. The bill specifies that statutory provisions requiring a notice to the general public before public land may be sold or exchanged does not apply to a conveyance of property authorized by the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.