

By: Geren

H.B. No. 844

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the sale or lease of property by certain municipalities  
3 owning land near the shoreline of certain lakes.

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

5 SECTION 1. Section 272.001(h), Local Government Code, is  
6 amended to read as follows:

7 (h) A municipality having a population of 825,000 [~~575,000~~]  
8 or less and owning land within 5,000 feet of where the shoreline of  
9 a lake would be if the lake were filled to its storage capacity may,  
10 without notice or the solicitation of bids, sell the land to the  
11 person leasing the land for the fair market value of the land as  
12 determined by a certified appraiser. While land described by this  
13 subsection is under lease, the municipality owning the land may not  
14 sell the land to any person other than the person leasing the land.  
15 To protect the public health, safety, or welfare and to ensure an  
16 adequate municipal water supply, property sold by the municipality  
17 under this subsection is not eligible for and the owner is not  
18 entitled to the exemption provided by Section 11.142(a), Water  
19 Code. The instrument conveying property under this subsection must  
20 include a provision stating that the exemption does not apply to the  
21 conveyance. In this subsection, "lake" means an inland body of  
22 standing water, including a reservoir formed by impounding the  
23 water of a river or creek but not including an impoundment of salt  
24 water or brackish water, that has a storage capacity of more than

1 10,000 acre-feet.

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, 2011.