

1-1 By: Geren (Senate Sponsor - Nelson) H.B. No. 844  
1-2 (In the Senate - Received from the House April 27, 2011;  
1-3 May 2, 2011, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 19, 2011, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 19, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the sale or lease of property by certain municipalities  
1-9 owning land near the shoreline of certain lakes.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 272.001(h), Local Government Code, is  
1-12 amended to read as follows:

1-13 (h) A municipality having a population of 825,000 [~~575,000~~]  
1-14 or less and owning land within 5,000 feet of where the shoreline of  
1-15 a lake would be if the lake were filled to its storage capacity may,  
1-16 without notice or the solicitation of bids, sell the land to the  
1-17 person leasing the land for the fair market value of the land as  
1-18 determined by a certified appraiser. While land described by this  
1-19 subsection is under lease, the municipality owning the land may not  
1-20 sell the land to any person other than the person leasing the land.  
1-21 To protect the public health, safety, or welfare and to ensure an  
1-22 adequate municipal water supply, property sold by the municipality  
1-23 under this subsection is not eligible for and the owner is not  
1-24 entitled to the exemption provided by Section 11.142(a), Water  
1-25 Code. The instrument conveying property under this subsection must  
1-26 include a provision stating that the exemption does not apply to the  
1-27 conveyance. In this subsection, "lake" means an inland body of  
1-28 standing water, including a reservoir formed by impounding the  
1-29 water of a river or creek but not including an impoundment of salt  
1-30 water or brackish water, that has a storage capacity of more than  
1-31 10,000 acre-feet.

1-32 SECTION 2. This Act takes effect immediately if it receives  
1-33 a vote of two-thirds of all the members elected to each house, as  
1-34 provided by Section 39, Article III, Texas Constitution. If this  
1-35 Act does not receive the vote necessary for immediate effect, this  
1-36 Act takes effect September 1, 2011.

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