

AN ACT

relating to authorizing certain municipalities to donate surplus real property of negligible or negative value to certain private persons.

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

SECTION 1. Chapter 253, Local Government Code, is amended by adding Section 253.013 to read as follows:

Sec. 253.013. DONATION OF REAL PROPERTY OF NEGLIGIBLE OR NEGATIVE VALUE TO CERTAIN PRIVATE PERSONS. (a) This section applies only to a municipality with a population greater than 150,000 and less than 200,000 that is located in three counties.

(b) The governing body of a municipality to which this section applies may 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:

(1) the property is not improved, including by having a structure on it or by being paved;

(2) ownership of the property does not provide any identifiable positive benefit to the municipality in relation to the municipality's current needs;

(3) ownership of the property is not likely to provide any identifiable positive benefit to the municipality in relation to the municipality's future needs; and

(4) the cost of maintaining the property is a

1 substantial burden to the municipality.

2 (c) The governing body of a municipality that makes a
3 determination under Subsection (b) shall adopt written findings and
4 conclusions regarding the determination made.

5 (d) The governing body of a municipality that makes a
6 determination under Subsection (b) that certain real property is
7 surplus real property of negligible or negative value may donate
8 that property to a private person who owns property adjacent to the
9 surplus real property of negligible or negative value.

10 (e) Section 272.001 does not apply to a conveyance of
11 property authorized by this section.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2584 was passed by the House on May 5, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2584 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor