

1-1 By: Anderson of Dallas (Senate Sponsor - Harris) H.B. No. 2584
1-2 (In the Senate - Received from the House May 6, 2011;
1-3 May 9, 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 authorizing certain municipalities to donate surplus
1-9 real property of negligible or negative value to certain private
1-10 persons.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 253, Local Government Code, is amended
1-13 by adding Section 253.013 to read as follows:

1-14 Sec. 253.013. DONATION OF REAL PROPERTY OF NEGLIGIBLE OR
1-15 NEGATIVE VALUE TO CERTAIN PRIVATE PERSONS. (a) This section
1-16 applies only to a municipality with a population greater than
1-17 150,000 and less than 200,000 that is located in three counties.

1-18 (b) The governing body of a municipality to which this
1-19 section applies may determine that real property located inside the
1-20 boundaries of the municipality and owned by the municipality is
1-21 surplus real property of negligible or negative value if:

1-22 (1) the property is not improved, including by having
1-23 a structure on it or by being paved;

1-24 (2) ownership of the property does not provide any
1-25 identifiable positive benefit to the municipality in relation to
1-26 the municipality's current needs;

1-27 (3) ownership of the property is not likely to provide
1-28 any identifiable positive benefit to the municipality in relation
1-29 to the municipality's future needs; and

1-30 (4) the cost of maintaining the property is a
1-31 substantial burden to the municipality.

1-32 (c) The governing body of a municipality that makes a
1-33 determination under Subsection (b) shall adopt written findings and
1-34 conclusions regarding the determination made.

1-35 (d) The governing body of a municipality that makes a
1-36 determination under Subsection (b) that certain real property is
1-37 surplus real property of negligible or negative value may donate
1-38 that property to a private person who owns property adjacent to the
1-39 surplus real property of negligible or negative value.

1-40 (e) Section 272.001 does not apply to a conveyance of
1-41 property authorized by this section.

1-42 SECTION 2. This Act takes effect immediately if it receives
1-43 a vote of two-thirds of all the members elected to each house, as
1-44 provided by Section 39, Article III, Texas Constitution. If this
1-45 Act does not receive the vote necessary for immediate effect, this
1-46 Act takes effect September 1, 2011.

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