

By: Deshotel

H.B. No. 2690

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing local governments to convey real property
3 interests to other local governments for less than fair market
4 value.

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

6 SECTION 1. Section 272.001, Local Government Code, is
7 amended by amending Subsection (a) and adding Subsection (l) to
8 read as follows:

9 (a) Except for the types of land and interests covered by
10 Subsection (b), (g), (h), (i), [~~ex~~] (j), or (l), and except as
11 provided by Section 253.008, before land owned by a political
12 subdivision of the state may be sold or exchanged for other land,
13 notice to the general public of the offer of the land for sale or
14 exchange must be published in a newspaper of general circulation in
15 either the county in which the land is located or, if there is no
16 such newspaper, in an adjoining county. The notice must include a
17 description of the land, including its location, and the procedure
18 by which sealed bids to purchase the land or offers to exchange the
19 land may be submitted. The notice must be published on two separate
20 dates and the sale or exchange may not be made until after the 14th
21 day after the date of the second publication.

22 (l) The notice and bidding requirements provided by
23 Subsection (a) do not apply to a donation or sale made under this
24 subsection. A political subdivision may donate or sell for less

1 than fair market value a designated parcel of land or an interest in
2 real property to another political subdivision if:

3 (1) the land or interest will be used by the political
4 subdivision to which it is donated or sold in carrying out a purpose
5 that benefits the public interest of the donating or selling
6 political subdivision;

7 (2) the donation or sale of the land or interest is
8 made under terms that effect and maintain the public purpose for
9 which the donation or sale is made; and

10 (3) the title and right to possession of the land or
11 interest revert to the donating or selling political subdivision if
12 the acquiring political subdivision ceases to use the land or
13 interest in carrying out the public purpose.

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