

1-1 By: Deshotel (Senate Sponsor - Williams) H.B. No. 2690  
1-2 (In the Senate - Received from the House April 11, 2011;  
1-3 April 26, 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 local governments to convey real property  
1-9 interests to other local governments for less than fair market  
1-10 value.

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

1-12 SECTION 1. Section 272.001, Local Government Code, is  
1-13 amended by amending Subsection (a) and adding Subsection (l) to  
1-14 read as follows:

1-15 (a) Except for the types of land and interests covered by  
1-16 Subsection (b), (g), (h), (i), [~~or~~] (j), or (l), and except as  
1-17 provided by Section 253.008, before land owned by a political  
1-18 subdivision of the state may be sold or exchanged for other land,  
1-19 notice to the general public of the offer of the land for sale or  
1-20 exchange must be published in a newspaper of general circulation in  
1-21 either the county in which the land is located or, if there is no  
1-22 such newspaper, in an adjoining county. The notice must include a  
1-23 description of the land, including its location, and the procedure  
1-24 by which sealed bids to purchase the land or offers to exchange the  
1-25 land may be submitted. The notice must be published on two separate  
1-26 dates and the sale or exchange may not be made until after the 14th  
1-27 day after the date of the second publication.

1-28 (l) The notice and bidding requirements provided by  
1-29 Subsection (a) do not apply to a donation or sale made under this  
1-30 subsection. A political subdivision may donate or sell for less  
1-31 than fair market value a designated parcel of land or an interest in  
1-32 real property to another political subdivision if:

1-33 (1) the land or interest will be used by the political  
1-34 subdivision to which it is donated or sold in carrying out a purpose  
1-35 that benefits the public interest of the donating or selling  
1-36 political subdivision;

1-37 (2) the donation or sale of the land or interest is  
1-38 made under terms that effect and maintain the public purpose for  
1-39 which the donation or sale is made; and

1-40 (3) the title and right to possession of the land or  
1-41 interest revert to the donating or selling political subdivision if  
1-42 the acquiring political subdivision ceases to use the land or  
1-43 interest in carrying out the public purpose.

1-44 SECTION 2. This Act takes effect immediately if it receives  
1-45 a vote of two-thirds of all the members elected to each house, as  
1-46 provided by Section 39, Article III, Texas Constitution. If this  
1-47 Act does not receive the vote necessary for immediate effect, this  
1-48 Act takes effect September 1, 2011.

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