

BILL ANALYSIS

H.B. 1361
By: Hunter
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that, as part of its dissolution activities, the Lower Nueces River Water Supply District was supposed to transfer its assets to the City of Corpus Christi almost three decades ago but that documentation of the district formally conveying the assets to the city have not been located. The parties contend that recording of those real property asset transfers was completed but not recorded at certain county courthouses for approximately 25 years due to records being inadvertently misplaced. The parties further contend that once this was discovered, the city properly recorded those transactions in the respective counties but that, to avoid any potential adverse possession claims against the city, a validation act is needed to perfect the land transfers from the dissolved district to the city. H.B. 1361 seeks to address this issue.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1361 validates and confirms the governmental acts and proceedings of the Lower Nueces River Water Supply District taken to comply with legislation enacted in 1985 relating to the 1986 transfer to the City of Corpus Christi of district rights to real property included in the 1986 quitclaim deed recordings described by the bill as of the dates the transfers occurred and prohibits such acts and proceedings from being held invalid because they were not performed in accordance with law. The bill prohibits such transfer from being held invalid on the ground that the transfer, in the bill's absence, was invalid. The bill establishes that the city is the owner of the rights to real property transferred to the city in accordance with the 1985 legislation and included in the 1986 quitclaim deed recordings. The bill exempts from these validating provisions any matter that on the bill's effective date is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or any matter that on the bill's effective date has been held invalid by a final court judgment.

H.B. 1361 establishes that the property transfers made in 1986 as quitclaim deeds in accordance with the 1985 legislation transferring property from the district to the city have been filed as detailed in the bill.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.