

By: Giddings

H.B. No. 2840

A BILL TO BE ENTITLED

AN ACT

relating to the urban land bank demonstration program in certain municipalities.

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

SECTION 1. Section 379C.005, Local Government Code, is amended to read as follows:

Sec. 379C.005. QUALIFIED PARTICIPATING DEVELOPER. To qualify to participate in an urban land bank demonstration program, a developer must:

(1) have built one ~~three~~ or more housing units within the three-year period preceding the submission of a proposal to the land bank seeking to acquire real property from the land bank;

(2) have a development plan approved by the municipality for the land bank property; and

(3) meet any other requirements adopted by the municipality in the urban land bank demonstration plan.

SECTION 2. Section 379C.009, Local Government Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) Except as provided by Subsection (b-1), the ~~The~~ land bank must sell a property to a qualified participating developer within the four-year period following the date of acquisition for the purpose of construction of affordable housing for sale or rent

to low income households.

(b-1) Before the completion of the four-year period described by Subsection (b), the land bank may, subject to Section 379C.0106:

(1) transfer property that the land bank determines is not appropriate for residential development to the taxing units described by Subsection (b); or

(2) sell property described by Subdivision (1) to an entity with the power of eminent domain or to a religious institution.

(b-2) If after four years a qualified participating developer has not purchased the property, subject to Section 379C.0106 the property may be sold as provided by Subsection (b-1)(2) if the land bank determines that the property is not appropriate for residential development, or otherwise the property shall be transferred from the land bank to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law.

SECTION 3. Section 379C.0106(a), Local Government Code, is amended to read as follows:

(a) In this section, "eligible adjacent property owner" means a person who:

(1) owns property located adjacent to property owned by the land bank; and

(2) ~~[has owned the adjacent property and continuously occupied that property as a primary residence for the two-year period preceding the date of the sale; and~~

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1 [~~(3)~~] satisfies eligibility requirements adopted by
2 the land bank.

3 SECTION 4. This Act takes effect September 1, 2013.