

SENATE AMENDMENTS

2nd Printing

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

1 to low income households.

2 (b-1) Before the completion of the four-year period
3 described by Subsection (b), the land bank may, subject to Section
4 379C.0106:

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

8 (2) sell property described by Subdivision (1) to a
9 political subdivision or a nonprofit organization.

10 (b-2) If after four years a qualified participating
11 developer has not purchased the property, the property shall be
12 transferred from the land bank to the taxing units who were parties
13 to the judgment for disposition as otherwise allowed under the law.

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

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

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

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

23 ~~[(3)]~~ satisfies eligibility requirements adopted by
24 the land bank.

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

ADOPTED

MAY 17 2013

Atty Gen
Secretary of the Senate

Roger W. N.

By: _____

____.B. No. _____

Substitute the following for ____B. No. _____:

By: *Ken Paul*

C.S.H.B. No. 2840

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8 qualify to participate in an urban land bank demonstration program,
9 a developer must:

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

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

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

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22 bank must sell a property to a qualified participating developer
23 within the four-year period following the date of acquisition for
24 the purpose of construction of affordable housing for sale or rent

1 to low income households.

2 (b-1) Before the completion of the four-year period
3 described by Subsection (b), the land bank may, subject to Section
4 379C.0106:

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6 not appropriate for residential development to the taxing units
7 described by Subsection (b); or

8 (2) sell property described by Subdivision (1) to a
9 political subdivision or a nonprofit organization.

10 (b-2) If after four years a qualified participating
11 developer has not purchased the property, the property shall be
12 transferred from the land bank to the taxing units who were parties
13 to the judgment for disposition as otherwise allowed under the law.

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

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

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

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

23 ~~[(3)]~~ satisfies eligibility requirements adopted by
24 the land bank.

25 SECTION 4. Chapter 379C, Local Government Code, is amended
26 by adding Section 379C.014 to read as follows:

27 Sec. 379C.014. ADDITIONAL AUTHORIZED USE OF LAND BANK

1 PROPERTY. (a) Notwithstanding the other provisions of this
2 chapter, the land bank may sell property to a developer to allow the
3 construction of a grocery store that has at least 6,000 square feet
4 of enclosed space and that offers for sale fresh produce and other
5 food items for home consumption.

6 (b) To qualify to purchase property from the land bank under
7 this section, a developer is not required to be a qualified
8 participating developer but must obtain the municipality's
9 approval of a development plan for the land bank property and must
10 develop the property in accordance with the approved development
11 plan.

12 (c) A sale under this section within the four-year period
13 following the date of acquisition of the property by the land bank
14 satisfies the requirement under Section 379C.009(b) that the
15 property be sold within that period to a qualified participating
16 developer.

17 (d) The land bank may sell property as provided by this
18 section only after granting any rights of first refusal otherwise
19 required by this chapter, and any completed sale under this section
20 remains subject to the right of reverter provided by Section
21 379C.009(d).

22 SECTION 5. This Act takes effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 20, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2840 by Giddings (Relating to the urban land bank demonstration program in certain municipalities.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SD, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 14, 2013

TO: Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2840 by Giddings (relating to the urban land bank demonstration program in certain municipalities.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 9, 2013

TO: Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2840 by Giddings (Relating to the urban land bank demonstration program in certain municipalities.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 18, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2840** by Giddings (relating to the urban land bank demonstration program in certain municipalities.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 9, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2840 by Giddings (Relating to the urban land bank demonstration program in certain municipalities.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP