

House Bill 2840
Senate Amendments
Section-by-Section Analysis

| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
|---|---|------------|
| <p>SECTION 1. Section 379C.005, Local Government Code, is amended to read as follows:</p> <p>Sec. 379C.005. QUALIFIED PARTICIPATING DEVELOPER. To qualify to participate in an urban land bank demonstration program, a developer must:</p> <p>(1) have built <u>one</u> 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;</p> <p>(2) have a development plan approved by the municipality for the land bank property; and</p> <p>(3) meet any other requirements adopted by the municipality in the urban land bank demonstration plan.</p> <p>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:</p> <p>(b) <u>Except as provided by Subsection (b-1), the</u> 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.</p> <p><u>(b-1) Before the completion of the four-year period described by Subsection (b), the land bank may, subject to Section 379C.0106:</u></p> <p><u>(1) transfer property that the land bank determines is not appropriate for residential development to the taxing units described by Subsection (b); or</u></p> <p><u>(2) sell property described by Subdivision (1) to a political subdivision or a nonprofit organization.</u></p> <p><u>(b-2) If after four years a qualified participating developer has not purchased the property, the property shall be transferred</u></p> | <p>SECTION 1. Same as House version.</p> <p>SECTION 2. Same as House version.</p> | |

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

No equivalent provision.

SECTION 3. Same as House version.

SECTION 4. Chapter 379C, Local Government Code, is amended by adding Section 379C.014 to read as follows:
Sec. 379C.014. ADDITIONAL AUTHORIZED USE OF LAND BANK PROPERTY. (a) Notwithstanding the other provisions of this chapter, the land bank may sell property to a developer to allow the construction of a grocery store that has at least 6,000 square feet of enclosed space and that offers for sale fresh produce and other food items for home consumption.
(b) To qualify to purchase property from the land bank under this section, a developer is not required to be a qualified participating developer but must obtain the municipality's approval of a development plan for the land bank property and must develop the property in accordance with the approved development plan.
(c) A sale under this section within the four-year period following the date of acquisition of the property by the land

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bank satisfies the requirement under Section 379C.009(b) that the property be sold within that period to a qualified participating developer.

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

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

SECTION 5. Same as House version.