

By: Isaac

H.B. No. 3620

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition of real property by a municipality.

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

SECTION 1. Subtitle A, Title 8, Local Government Code, is amended by adding Chapter 260 to read as follows:

CHAPTER 260. MISCELLANEOUS PROVISIONS AFFECTING THE ACQUISITION OF PROPERTY BY MUNICIPALITIES

Sec. 260.001. CONSENT REQUIRED FOR ACQUISITION OF REAL PROPERTY. A municipality authorized by other law to acquire, by purchase or exercising the power of eminent domain, real property located outside the corporate boundaries and extraterritorial jurisdiction of the municipality may not acquire real property located outside the corporate boundaries and extraterritorial jurisdiction of the municipality unless:

(1) if the property is located within the corporate boundaries or extraterritorial jurisdiction of another municipality, the purchasing municipality:

(A) obtains written consent for the acquisition from the governing body of the municipality in which the property is located;

(B) waives its right to exempt the property from ad valorem taxes; or

(C) agrees to make, as a payment in lieu of taxes, a payment in an amount equal to the ad valorem taxes, based on the

1 actual value of the property, that otherwise would have been  
2 imposed for the preceding tax year on the property by the  
3 municipality in which the property is located; or

4 (2) if the property is located in the unincorporated  
5 area of the county and not in the extraterritorial jurisdiction of a  
6 municipality, the purchasing municipality:

7 (A) obtains written consent for the acquisition  
8 from the commissioners court of the county in which the property is  
9 located;

10 (B) waives its right to exempt the property from  
11 ad valorem taxes; or

12 (C) agrees to make, as a payment in lieu of taxes,  
13 a payment in an amount equal to the ad valorem taxes, based on the  
14 actual value of the property, that otherwise would have been  
15 imposed for the preceding tax year on the property by the county in  
16 which the property is located.

17 SECTION 2. This Act takes effect September 1, 2015.