

By: Schwertner
(Sheets)

S.B. No. 450

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a political subdivision of this state for certain claims relating to land acquired by the political subdivision under certain circumstances.

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

SECTION 1. Section 101.064, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 101.064. LAND ACQUIRED UNDER FORECLOSURE OF LIEN OR BY CONVEYANCE IN SATISFACTION OF CERTAIN TAX DEBT. (a) This chapter does not apply to a claim:

(1) against ~~[section applies only to]~~ a political subdivision of this state [municipality] that acquires land:

(A) as a result of [at a sale following] the foreclosure of a lien held by the political subdivision, including land that was bid off to the political subdivision under Section 34.01, Tax Code; or

(B) under Section 31.061, Tax Code;

(2) that [municipality].

~~[(b) This chapter does not apply to a claim that:~~

~~[(1)]~~ arises after the date the land was acquired and before the date the land is sold, conveyed, or exchanged by the political subdivision [municipality]; and

(3) that [(-2)] arises from:

(A) the condition of the land;

1 (B) a premises defect on the land; or

2 (C) an action committed by any person, other than
3 an agent or employee of the political subdivision [~~municipality~~],
4 on the land.

5 (b) [~~(c)~~] In this section, [~~the term~~] "land" includes any
6 building or improvement located on land acquired by a political
7 subdivision [~~municipality~~].

8 SECTION 2. The change in law made by this Act applies only
9 to a claim that arises on or after the effective date of this Act,
10 regardless of whether the land was acquired by a political
11 subdivision before, on, or after the effective date of this Act. A
12 claim that arises before the effective date of this Act is governed
13 by the law applicable to the claim immediately before the effective
14 date of this Act, and that law is continued in effect for that
15 purpose.

16 SECTION 3. This Act takes effect September 1, 2015.