

1-1 By: Schwertner S.B. No. 450
 1-2 (In the Senate - Filed February 4, 2015; February 9, 2015,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 16, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 16, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 450 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the liability of a political subdivision of this state
 1-22 for certain claims relating to land acquired by the political
 1-23 subdivision under certain circumstances.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 101.064, Civil Practice and Remedies
 1-26 Code, is amended to read as follows:

1-27 Sec. 101.064. LAND ACQUIRED UNDER FORECLOSURE OF LIEN OR BY
 1-28 CONVEYANCE IN SATISFACTION OF CERTAIN TAX DEBT. (a) This chapter
 1-29 does not apply to a claim:

1-30 (1) against [section applies only to] a political
 1-31 subdivision of this state [municipality] that acquires land:

1-32 (A) as a result of [at a sale following] the
 1-33 foreclosure of a lien held by the political subdivision, including
 1-34 land that was bid off to the political subdivision under Section
 1-35 34.01, Tax Code; or

1-36 (B) under Section 31.061, Tax Code;
 1-37 that [municipality].

1-38 ~~[(b) This chapter does not apply to a claim that:~~

1-39 ~~[(1)] arises after the date the land was acquired and~~
 1-40 ~~before the date the land is sold, conveyed, or exchanged by the~~
 1-41 ~~political subdivision [municipality]; and~~

1-42 (3) that [(2)] arises from:

1-43 (A) the condition of the land;

1-44 (B) a premises defect on the land; or

1-45 (C) an action committed by any person, other than
 1-46 an agent or employee of the political subdivision [municipality],
 1-47 on the land.

1-48 (b) [(c)] In this section, [the term] "land" includes any
 1-49 building or improvement located on land acquired by a political
 1-50 subdivision [municipality].

1-51 SECTION 2. The change in law made by this Act applies only
 1-52 to a claim that arises on or after the effective date of this Act,
 1-53 regardless of whether the land was acquired by a political
 1-54 subdivision before, on, or after the effective date of this Act. A
 1-55 claim that arises before the effective date of this Act is governed
 1-56 by the law applicable to the claim immediately before the effective
 1-57 date of this Act, and that law is continued in effect for that
 1-58 purpose.

1-59 SECTION 3. This Act takes effect September 1, 2015.

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