

By: Bettencourt, Huffines  
Taylor of Collin

S.B. No. 1452

A BILL TO BE ENTITLED

AN ACT

relating to the power of a commissioners court to authorize ad valorem tax sales of real property to be conducted by means of online auctions.

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

SECTION 1. Section 34.01, Tax Code, is amended by adding Subsection (a-1) and amending Subsection (r) to read as follows:

(a-1) The commissioners court of a county by official action may authorize the officer charged with selling property under this section to conduct a public auction using online bidding and sale. The commissioners court may adopt rules governing online auctions authorized under this subsection. Rules adopted by the commissioners court under this subsection take effect on the 90th day after the date the rules are published in the real property records of the county.

(r) Except as provided by Subsection (a-1) and this subsection, a sale of real property under this section must take place at the county courthouse in the county in which the land is located. The commissioners court of the county may designate an area other than an area at the county courthouse where sales under this section will take place that is in a public place within a reasonable proximity of the county courthouse as determined by the commissioners court and in a location as accessible to the public as the courthouse door. The commissioners court shall record that

1 designation in the real property records of the county. A  
2 designation by a commissioners court under this section is not a  
3 ground for challenging or invalidating any sale. A sale must be  
4 held at an area designated under this subsection if the sale is held  
5 on or after the 90th day after the date the designation is recorded.

6 SECTION 2. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2015.