

By: Lambert

H.B. No. 3423

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the recording by a county clerk of certain documents  
3 relating to the sale or lease of public school land.

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

5 SECTION 1. Section 51.065, Natural Resources Code, is  
6 amended to read as follows:

7 Sec. 51.065. NOTICE AND RECORD OF SALE. (a) The  
8 commissioner shall send a written notice of the sale of a tract of  
9 public school land to [~~notify~~] the county clerk of the proper county  
10 that includes [~~of the sale of each tract of land,~~] the name and  
11 address of the purchaser[~~r~~] and the price of the land.

12 (b) After receiving a notice of the [~~being informed of any~~]  
13 sale of public school land, the county clerk shall record the notice  
14 at no charge in the official public records of the county [~~enter in~~  
15 ~~his books opposite the description of the land sold, the name of the~~  
16 ~~purchaser and the date of the sale~~].

17 (c) The notice of sale is a [~~and the book containing the~~  
18 ~~entry are~~] public record [~~records~~].

19 SECTION 2. Section 51.066(c), Natural Resources Code, is  
20 amended to read as follows:

21 (c) One copy of the land award shall be retained in the land  
22 office, one [~~and the other~~] copy shall be sent to the purchaser, and  
23 one copy shall be sent to the county clerk of the proper county to be  
24 recorded at no charge in the official public records of the county.

1 SECTION 3. Section 51.176(c), Natural Resources Code, is  
2 amended to read as follows:

3 (c) The county clerk shall mark the exact date and hour of  
4 filing on the original and a duplicate copy of the vacancy  
5 application and shall return a marked copy to the person filing the  
6 application. The original shall be recorded in the official public  
7 records of the county [~~a book kept for that purpose separate from~~  
8 ~~the deed or real property records~~]. The failure to record a vacancy  
9 application as provided by this subsection does not affect the  
10 validity of the application filing.

11 SECTION 4. Section 12.0011, Property Code, is amended by  
12 adding Subsection (e) to read as follows:

13 (e) This section does not apply to a notice of sale under  
14 Section 51.065, Natural Resources Code, or a land award under  
15 Section 51.066, Natural Resources Code.

16 SECTION 5. Sections 51.065 and 51.066, Natural Resources  
17 Code, as amended by this Act, apply only to a sale of property that  
18 occurs on or after the effective date of this Act. For the purposes  
19 of this section, a sale of property occurs before the effective date  
20 of this Act if the contract binding the purchaser to purchase the  
21 property is entered into before that date. A sale of property that  
22 occurs before the effective date of this Act is governed by the law  
23 in effect immediately before that date, and that law is continued in  
24 effect for that purpose.

25 SECTION 6. This Act takes effect September 1, 2017.