

1-1 By: Lambert (Senate Sponsor - Uresti) H.B. No. 3423
1-2 (In the Senate - Received from the House May 5, 2017;
1-3 May 10, 2017, read first time and referred to Committee on State
1-4 Affairs; May 18, 2017, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the recording by a county clerk of certain documents
1-20 relating to the sale or lease of public school land.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 51.065, Natural Resources Code, is
1-23 amended to read as follows:

1-24 Sec. 51.065. NOTICE AND RECORD OF SALE. (a) The
1-25 commissioner shall send a written notice of the sale of a tract of
1-26 public school land to ~~[notify]~~ the county clerk of the proper county
1-27 that includes ~~[of the sale of each tract of land,]~~ the name and
1-28 address of the purchaser~~[,]~~ and the price of the land.

1-29 (b) After receiving a notice of the ~~[being informed of any]~~
1-30 sale of public school land, the county clerk shall record the notice
1-31 at no charge in the official public records of the county ~~[enter in~~
1-32 ~~his books opposite the description of the land sold, the name of the~~
1-33 ~~purchaser and the date of the sale].~~

1-34 (c) The notice of sale is a ~~[and the book containing the~~
1-35 ~~entry are]~~ public record ~~[records].~~

1-36 SECTION 2. Section 51.066(c), Natural Resources Code, is
1-37 amended to read as follows:

1-38 (c) One copy of the land award shall be retained in the land
1-39 office, one ~~[and the other]~~ copy shall be sent to the purchaser, and
1-40 one copy shall be sent to the county clerk of the proper county to be
1-41 recorded at no charge in the official public records of the county.

1-42 SECTION 3. Section 51.176(c), Natural Resources Code, is
1-43 amended to read as follows:

1-44 (c) The county clerk shall mark the exact date and hour of
1-45 filing on the original and a duplicate copy of the vacancy
1-46 application and shall return a marked copy to the person filing the
1-47 application. The original shall be recorded in the official public
1-48 records of the county ~~[a book kept for that purpose separate from~~
1-49 ~~the deed or real property records].~~ The failure to record a vacancy
1-50 application as provided by this subsection does not affect the
1-51 validity of the application filing.

1-52 SECTION 4. Section 12.0011, Property Code, is amended by
1-53 adding Subsection (e) to read as follows:

1-54 (e) This section does not apply to a notice of sale under
1-55 Section 51.065, Natural Resources Code, or a land award under
1-56 Section 51.066, Natural Resources Code.

1-57 SECTION 5. Sections 51.065 and 51.066, Natural Resources
1-58 Code, as amended by this Act, apply only to a sale of property that
1-59 occurs on or after the effective date of this Act. For the purposes
1-60 of this section, a sale of property occurs before the effective date
1-61 of this Act if the contract binding the purchaser to purchase the

2-1 property is entered into before that date. A sale of property that
2-2 occurs before the effective date of this Act is governed by the law
2-3 in effect immediately before that date, and that law is continued in
2-4 effect for that purpose.

2-5 SECTION 6. This Act takes effect September 1, 2017.

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