

House Bill 3178
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<p>SECTION 1. Section 272.001(a), Local Government Code, is amended to read as follows:</p> <p>(a) Except for the types of land and interests covered by Subsection (b), (g), (h), (i), (j), or (l), and except as provided by Section 253.008 <u>or 272.007</u>, before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The notice must include a description of the land, including its location, and the procedure by which sealed bids to purchase the land or offers to exchange the land may be submitted. The notice must be published on two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication.</p>	<p>No equivalent provision.</p>	
<p>SECTION 2. Chapter 272, Local Government Code, is amended by adding Section 272.007 to read as follows:</p> <p><u>Sec. 272.007. BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY BY CERTAIN POLITICAL SUBDIVISIONS. (a) In this section, "broker" means a person licensed as a broker under Chapter 1101, Occupations Code.</u></p> <p><u>(b) A political subdivision, other than a home-rule municipality or a county, may contract with a broker to lease or sell a tract of real property that is owned by the political subdivision.</u></p> <p><u>(c) The political subdivision may pay a fee if a broker produces a ready, willing, and able buyer to purchase a tract of real property.</u></p> <p><u>(d) If a contract made under Subsection (b) requires a broker</u></p>	<p>No equivalent provision. <i>(But see SECTION 1 below.)</i></p>	

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to list the tract of real property for sale for at least 30 days with a multiple-listing service used by other brokers in the county, the political subdivision on or after the 30th day after the date the property is listed may sell the tract of real property to a ready, willing, and able buyer who is produced by any broker using the multiple-listing service and who submits the most advantageous offer.

(e) The political subdivision must post a notice of intent to sell the real property in a newspaper of general circulation, not less than once, at least 14 days before the date the political subdivision accepts an offer produced by a broker.

(f) The political subdivision may sell a tract of real property under this section without complying with the requirements of Section 272.001.

No equivalent provision. *(But see SECTION 2 above.)*

SECTION 1. Subchapter C, Chapter 281, Health and Safety Code, is amended by adding Section 281.059 to read as follows:

Sec. 281.059. DALLAS COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this section:

(1) "Broker" means a person licensed as a broker under Chapter 1101, Occupations Code.

(2) "District" means the Dallas County Hospital District.

(b) Except as provided by Subsection (c), the Dallas County Hospital District may contract with a broker to lease or sell a tract of real property that is owned by the district.

(c) The district may not contract with a broker who is related within the third degree of consanguinity, as determined under Chapter 573, Government Code, to:

(1) a member of the board of hospital managers of the district; or

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(2) a public official who serves on the Dallas County Commissioners Court.

(d) The district may pay a fee if a broker produces a ready, willing, and able buyer to purchase a tract of real property.

(e) If a contract made under Subsection (b) requires a broker to list the tract of real property for sale for at least 30 days with a multiple-listing service used by other brokers in the county in which the real property is located, the district, on or after the 30th day after the date the property is listed, may sell the tract of real property to a ready, willing, and able buyer who is produced by any broker, including a broker described by Subsection (c), using the multiple-listing service and who submits the most advantageous offer.

(f) The district must post a notice of intent to sell the real property in a newspaper of general circulation, not less than once, at least 14 days before the date the district accepts an offer produced by a broker.

(g) The district may sell a tract of real property under this section without complying with the requirements of Section 272.001, Local Government Code.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 2. Same as House version.