

BILL ANALYSIS

C.S.H.B. 2650
By: Goodwin
Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that recent legislation authorized counties to perform online auctions to sell foreclosed properties as an alternative to traditional, in-person auctions. Since its implementation, counties have reportedly had difficulty performing online auctions because they are unable to include the commission and fees for auctioneers who execute the online auction within the costs of a sale. C.S.H.B. 2650 accommodates the costs associated with an auctioneer when selling foreclosed property.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2650 amends the Tax Code to include an auctioneer's commission and fees among the costs of a sale by auction of real property seized under a tax warrant or ordered sold pursuant to foreclosure of a tax lien and among the costs that when totaled constitute the least amount for which property seized due to property tax delinquency may be sold, if that total is less than the property's market value.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2650 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute makes its provisions applicable to any auctioneer by removing the specification that the applicable auctioneer is a licensed auctioneer.