

BILL ANALYSIS

Senate Research Center

C.S.S.B. 254
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Intergovernmental Relations
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In certain cases, local governments may appoint a receiver to rehabilitate properties that are in violation of city ordinances. Current law only allows individuals with previous history of rehabilitating properties to be appointed. The City of El Paso has found it difficult to find people with previous experience to take on these projects.

S.B. 254 expands those who are eligible to be receivers by no longer requiring them to have previous experience, so long as they are found to be competent and able to fulfill the duties of a receiver by the municipality.

C.S.S.B. 254 narrows the applicability of the bill to El Paso.

C.S.S.B. 254 amends current law relating to court appointment of a receiver for a property that is in violation of certain ordinances in certain municipalities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 214.003, Local Government Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Creates an exception under Subsection (b-1) to a court's authority to appoint a receiver for certain property.

(b-1) Provides that this section (Receiver) applies only to a municipality located along the international border with Mexico and with a population of 800,000 or more. Authorizes the court to appoint as a receiver under Subsection (b) an individual without a demonstrated record of rehabilitating properties if the municipality demonstrates that:

(1) no individual with a demonstrated record of rehabilitating properties is available; and

(2) the individual being appointed is competent and able to fulfill the duties of a receiver.

SECTION 2. Effective date: upon passage or September 1, 2019.