86R24682 SCL-D

By:  Ortega H.B. No. 280

Substitute the following for H.B. No. 280:

By:  Farrar C.S.H.B. No. 280

A BILL TO BE ENTITLED

AN ACT

relating to court appointment of a receiver for a property that is in violation of certain municipal ordinances in certain municipalities.

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

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

(b)  Except as provided by Subsections (b-1) and [~~Subsection~~] (c), the court may appoint as a receiver for the property a nonprofit organization or an individual with a demonstrated record of rehabilitating properties if the court finds that:

(1)  the structures on the property are in violation of the standards set forth in Section 214.001(b) and an ordinance described by Subsection (a);

(2)  notice of violation was given to the record owner of the property; and

(3)  a public hearing as required by Section 214.001(b) has been conducted.

(b-1)  This subsection applies only to a municipality wholly or partly located in a county that is located along the international border and has a population of 800,000 or more. The court may 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.  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, 2019.