

By: Ortega

H.B. No. 715

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain municipalities to foreclose a lien on property to recover certain expenses.

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

SECTION 1. Section 214.004, Local Government Code, is amended to read as follows:

Sec. 214.004. SEIZURE AND SALE OF PROPERTY TO RECOVER EXPENSES. A Type A general-law municipality or home-rule municipality may foreclose a lien on property under this subchapter:

(1) in a proceeding relating to the property brought under Subchapter E, Chapter 33, Tax Code; or

(2) in a judicial proceeding, if:

(A) a building or other structure on the property has been demolished; and

(B) a lien for the cost of the demolition of the building or other structure on the property has been created and that cost has not been paid more than 180 days after the date the lien was filed~~[, and~~

~~[(C) ad valorem taxes are delinquent on all or part of the property].~~

SECTION 2. The change in law made by this Act applies only to the foreclosure of a lien that attaches under Subchapter A, Chapter 214, Local Government Code, on or after the effective date

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1 of this Act. The foreclosure of a lien that attaches before the
2 effective date of this Act is governed by the law in effect on the
3 date the lien attaches, and that law is continued in effect for that
4 purpose.

5 SECTION 3. This Act takes effect September 1, 2019.