

1-1 By: Guillen (Senate Sponsor - Lucio) H.B. No. 1053
 1-2 (In the Senate - Received from the House April 11, 2019;
 1-3 April 15, 2019, read first time and referred to Committee on
 1-4 Transportation; May 19, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 2;
 1-6 May 19, 2019, sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | X | | | |
| 1-9 | | | | |
| 1-10 | | X | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | | X | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1053 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the disposition of real property interests by the
 1-22 Willacy County Navigation District.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 404, Acts of the 53rd Legislature,
 1-25 Regular Session, 1953, is amended by adding Section 11 to read as
 1-26 follows:

1-27 Sec. 11. (a) The District may sell, exchange, or lease
 1-28 real property or any interest in real property owned by it, whether
 1-29 the real property was acquired by gift or purchase, in settlement of
 1-30 any litigation, controversy, or claim in behalf of the District, or
 1-31 in any other manner, except that lands or flats heretofore
 1-32 purchased from the State of Texas under former Article 8225,
 1-33 Revised Civil Statutes of Texas, 1925, or granted by the State of
 1-34 Texas in any general or special act, may be sold only to the State of
 1-35 Texas or exchanged with the State of Texas for other lands or
 1-36 exchanged for adjacent littoral land as authorized by Section
 1-37 61.117, Water Code. The District may impose restrictions on the
 1-38 development, use, and transfer of any real property or interest in
 1-39 real property, other than lands or flats purchased from the State of
 1-40 Texas under former Article 8225, Revised Civil Statutes of Texas,
 1-41 1925, or granted by the State of Texas in any general or special
 1-42 act, in connection with its sale or exchange under this section.

1-43 (b) Except as provided by Subsection (d) of this section,
 1-44 before the District may sell or exchange real property, the Board
 1-45 shall determine by resolution that the land is no longer needed for
 1-46 use by the District in connection with the development of a
 1-47 navigation project.

1-48 (c) Except as provided by Subsection (d), (e), or (f) of
 1-49 this section, a sale or exchange of real property shall be made as
 1-50 provided by Sections 60.040-60.042, Water Code.

1-51 (d) The District may donate, exchange, convey, sell, or
 1-52 lease land, improvements, easements, or any other interests in real
 1-53 property to promote a public purpose related to the development of
 1-54 the District. The District shall determine the terms and
 1-55 conditions of the transaction so as to achieve the public purpose.

1-56 (e) The District may donate, exchange, convey, sell, or
 1-57 lease a real property interest under Subsection (d) of this section
 1-58 for less than its fair market value and without complying with the
 1-59 notice and bidding requirements of Sections 60.040-60.042, Water
 1-60 Code.

2-1 (f) Narrow strips of real property resulting from boundary
2-2 or surveying conflicts or similar causes, or from insubstantial
2-3 encroachments by abutting real property owners, or real property of
2-4 larger configuration that has been subject to encroachments by
2-5 abutting real property owners for more than 25 years may be
2-6 abandoned, released, exchanged, or transferred to such abutting
2-7 owners on terms and conditions considered appropriate or
2-8 advantageous to the District. The District may convey real
2-9 property under this subsection for less than its fair market value
2-10 and without complying with the notice and bidding requirements of
2-11 Sections 60.040-60.042, Water Code.

2-12 (g) The District may grant easements over or on its real
2-13 property on terms and conditions the Board determines to be
2-14 advantageous to the District.

2-15 (h) The authority granted to the District by this section to
2-16 dispose of interests in real property is in addition to any
2-17 authority granted by Chapter 272, Local Government Code, and a
2-18 disposition of an interest in real property under this section is
2-19 exempt from the notice, bidding, and other requirements of Chapter
2-20 272, Local Government Code.

2-21 SECTION 2. This Act takes effect immediately if it receives
2-22 a vote of two-thirds of all the members elected to each house, as
2-23 provided by Section 39, Article III, Texas Constitution. If this
2-24 Act does not receive the vote necessary for immediate effect, this
2-25 Act takes effect September 1, 2019.

2-26 * * * * *