87R17663 DRS-F

By:  Martinez H.B. No. 3949

Substitute the following for H.B. No. 3949:

By:  Ashby C.S.H.B. No. 3949

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Department of Transportation to sell a portion of a state highway to an airport, inland port, or seaport.

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

SECTION 1.  Subchapter B, Chapter 202, Transportation Code, is amended by adding Section 202.034 to read as follows:

Sec. 202.034.  SALE OF STATE HIGHWAY TO AIRPORT, INLAND PORT, OR SEAPORT. (a) Notwithstanding other law, the department may enter into an agreement to sell a portion of a state highway that abuts an airport, inland port, or seaport to the owner or operator of the airport, inland port, or seaport.

(b)  An agreement to sell real property under this section must provide for assumption of responsibility for maintenance of the property by the entity that acquires the property.

(c)  The commission:

(1)  shall determine the fair value of the state's interest in real property to be sold under this section; and

(2)  may authorize the executive director to execute a deed conveying the state's interest in the property.

(d)  The department may not sell the state's interest in the real property for an amount less than the amount determined under Subsection (c)(1).

(e)  Revenue from the sale of property under this section shall be deposited to the credit of the state highway fund.

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, 2021.