

By: González of El Paso

H.B. No. 452

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a study regarding the feasibility of creating a  
3 mechanism by which a governmental entity could acquire small  
4 parcels of real property in an area and convey them to a developer  
5 in order to ensure the property is developed in compliance with  
6 model subdivision rules.

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

8 SECTION 1. (a) The General Land Office, in cooperation with  
9 the secretary of state, the commissioners court of the county, and  
10 the colonia ombudsperson in the county, if applicable, shall  
11 conduct a study of the feasibility of establishing a mechanism by  
12 which a governmental entity could:

13 (1) acquire contiguous small parcels of real property  
14 that:

15 (A) have nominal value; and

16 (B) are located in a county that has a population  
17 of more than 800,000 and is located on the international border;

18 (2) combine the properties described by Subdivision  
19 (1) of this subsection in a manner that makes the properties  
20 marketable for development; and

21 (3) convey the properties described by Subdivision (1)  
22 of this subsection for development in a manner that complies with  
23 standards prescribed by model subdivision rules adopted under  
24 Section [16.343](#), Water Code.

1 (b) The study conducted under this section must:

2 (1) establish methods for identifying property that is  
3 suitable for acquisition;

4 (2) establish methods for identifying owners of  
5 property that is considered suitable for acquisition;

6 (3) establish methods for notifying the owners of the  
7 owners' tax obligations;

8 (4) identify appropriate methods of acquiring,  
9 holding title to, and conveying the property and include an  
10 analysis of the appropriateness of acquiring the property through  
11 the use of a land trust, land bank, or other mechanism;

12 (5) identify appropriate methods of compensating the  
13 owners of the property acquired;

14 (6) identify any appropriate land use or development  
15 requirements or restrictions for the property; and

16 (7) identify any legislative action necessary to  
17 facilitate the establishment of a mechanism described by this  
18 section.

19 (c) In identifying appropriate methods of acquiring title  
20 to property under Subsection (b) of this section, the study may not  
21 consider and the report required by Subsection (e) of this section  
22 may not recommend the exercise of the power of eminent domain.

23 (d) In assessing the feasibility of using a land bank to  
24 acquire, hold title to, and convey property under Subsection (b) of  
25 this section, the study must:

26 (1) determine the legality of an economic development  
27 corporation participating in a land bank;

1           (2) address the feasibility of expediting the process  
2 for a land bank to purchase properties on which the taxes are  
3 delinquent; and

4           (3) identify an appropriate state agency capable of  
5 providing administrative or personnel assistance to a governmental  
6 entity attempting to:

7                   (A) identify owners of property that is  
8 considered suitable for acquisition by a land bank and notify those  
9 owners of the owners' tax obligations;

10                   (B) combine properties in a manner that makes the  
11 properties marketable for development; and

12                   (C) convey the properties for development in a  
13 manner that complies with standards prescribed by model subdivision  
14 rules adopted under Section 16.343, Water Code.

15           (e) Not later than December 1, 2022, the General Land Office  
16 shall provide to the legislature a report containing the results of  
17 the study conducted under this section.

18           SECTION 2. The General Land Office is required to implement  
19 this Act only if the office receives donations to cover the cost of  
20 conducting the study required by Section 1 of this Act in an amount  
21 sufficient for that purpose.

22           SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2021.