

By: Middleton

H.B. No. 2280

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the sale, development, or acquisition of certain
3 property by certain navigation districts, including the Port of
4 Houston Authority of Harris County, Texas; removing authority to
5 own certain property, acquire certain property, and make related
6 changes to the board of commissioners and name of the navigation
7 district; requiring the sale or development of certain property.

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

9 SECTION 1. Subchapter A, Chapter 5007, Special District
10 Local Laws Code, is amended by adding Sections 5007.011 and
11 5007.012 to read as follows:

12 Sec. 5007.011. SALE OF CERTAIN REAL PROPERTY. (a) In this
13 section, "taxing unit" has the meaning assigned by Section 1.04,
14 Tax Code.

15 (b) The authority may not sell real property to a person if
16 the ownership and use of the property under the new owner would
17 render the property not subject to ad valorem taxation, unless the
18 sale is approved by a resolution adopted by each taxing unit, other
19 than the authority, in which the property is located.

20 Sec. 5007.012. SALE OR DEVELOPMENT OF REAL DISTRICT
21 PROPERTY. (a) This section applies only to real property owned by
22 the authority on Pelican Island.

23 (b) Not later than September 1, 2024, the authority shall:

24 (1) substantially develop the property; or

1 (2) sell the property at an auction open only to
2 bidders other than entities approved by the Internal Revenue
3 Service as tax exempt under Section 501(c)(3), Internal Revenue
4 Code of 1986.

5 SECTION 2. Subchapter A, Chapter 60, Water Code, is amended
6 by adding Section 60.006 to read as follows:

7 Sec. 60.006. DISTRICT PROPERTY. Notwithstanding any other
8 law, a district may not own real property on the Bolivar Peninsula
9 or Pelican Island, other than an easement or right-of-way necessary
10 to gain access to district property or perform district functions.

11 SECTION 3. The following sections of the Water Code are
12 repealed:

- 13 (1) Section 62.1071;
- 14 (2) Section 62.1072; and
- 15 (3) Section 62.209.

16 SECTION 4. A navigation district in violation of Section
17 60.006, Water Code, as added by this Act, on the effective date of
18 this Act, is not subject to penalty or suit related to that
19 violation if the navigation district completes a sale or transfer
20 of the property the ownership of which results in the violation not
21 later than September 1, 2024.

22 SECTION 5. (a) The legal notice of the intention to
23 introduce this Act, setting forth the general substance of this
24 Act, has been published as provided by law, and the notice and a
25 copy of this Act have been furnished to all persons, agencies,
26 officials, or entities to which they are required to be furnished
27 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

1 Government Code.

2 (b) The governor, one of the required recipients, has
3 submitted the notice and Act to the Texas Commission on
4 Environmental Quality.

5 (c) The Texas Commission on Environmental Quality has filed
6 its recommendations relating to this Act with the governor, the
7 lieutenant governor, and the speaker of the house of
8 representatives within the required time.

9 (d) All requirements of the constitution and laws of this
10 state and the rules and procedures of the legislature with respect
11 to the notice, introduction, and passage of this Act are fulfilled
12 and accomplished.

13 SECTION 6. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2021.