

By: Moody

H.B. No. 2382

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of a broker for the sale of real property by the  
3 El Paso County Hospital District.

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

5 SECTION 1. Subchapter C, Chapter 281, Health and Safety  
6 Code, is amended by adding Section 281.060 to read as follows:

7 Sec. 281.060. EL PASO COUNTY HOSPITAL DISTRICT; BROKER  
8 AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this  
9 section:

10 (1) "Broker" means a person licensed as a broker under  
11 Chapter 1101, Occupations Code.

12 (2) "District" means the El Paso County Hospital  
13 District.

14 (b) Except as provided by Subsection (c), the El Paso County  
15 Hospital District may contract with a broker to sell a tract of real  
16 property that is owned by the district.

17 (c) The district may not contract with a broker who is  
18 related within the third degree of consanguinity, as determined  
19 under Chapter 573, Government Code, to:

20 (1) a member of the board of hospital managers of the  
21 district; or

22 (2) a public official who serves on the El Paso County  
23 Commissioners Court.

24 (d) The district may pay a fee if a broker produces a ready,

1 willing, and able buyer to purchase a tract of real property.

2 (e) If a contract made under Subsection (b) requires a  
3 broker to list the tract of real property for sale for at least 30  
4 days with a multiple-listing service used by other brokers in the  
5 county in which the real property is located, the district, on or  
6 after the 30th day after the date the property is listed, may sell  
7 the tract of real property to a ready, willing, and able buyer who  
8 is produced by any broker, including a broker described by  
9 Subsection (c), using the multiple-listing service and who submits  
10 the most advantageous offer.

11 (f) The district must post a notice of intent to sell the  
12 real property in a newspaper of general circulation, not less than  
13 once, at least 14 days before the date the district accepts an offer  
14 produced by a broker.

15 (g) The district may sell a tract of real property under  
16 this section without complying with the requirements of Section  
17 [272.001](#), Local Government Code.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section [39](#), Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2021.