

SENATE AMENDMENTS

2nd Printing

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.

ADOPTED

MAY 24 2021

Lacey Spaw
Secretary of the Senate

By: BRANCO

H.B. No. 2382

Substitute the following for __.B. No. ____:

By: [Signature]

C.S.H.B. No. 2382

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the operations and administration of the El Paso County
3 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. Section 281.0221, Health and Safety Code, is
19 repealed.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 26, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2382 by Moody (Relating to the operations and administration of the El Paso County Hospital District.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the University Medical Center of El Paso, there is no fiscal impact anticipated for implementing the bill.

Source Agencies:

LBB Staff: JMc, SD, AF, CMA, ANE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2382 by Moody (Relating to the operations and administration of the El Paso County Hospital District.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the University Medical Center of El Paso, there is no fiscal impact anticipated for implementing the bill.

Source Agencies:

LBB Staff: JMc, AF, CMA, ANE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 16, 2021

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2382 by Moody (Relating to the use of a broker for the sale of real property by the El Paso County Hospital District.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the University Medical Center of El Paso, there is no fiscal impact anticipated for implementing the bill.

Source Agencies:

LBB Staff: JMc, AF, CMA, ANE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 7, 2021

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB2382** by Moody (Relating to the use of a broker for the sale of real property by the El Paso County Hospital District.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

According to the University Medical Center of El Paso, there is no fiscal impact anticipated for implementing the bill.

Source Agencies:

LBB Staff: JMc, AF, CMA, ANE