

1-1 By: Blanco S.B. No. 543
1-2 (In the Senate - Filed January 20, 2023; February 17, 2023,
1-3 read first time and referred to Committee on Natural Resources &
1-4 Economic Development; April 17, 2023, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 7,
1-6 Nays 0; April 17, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13			<u>X</u>	
1-14			<u>X</u>	
1-15	<u>X</u>			
1-16	<u>X</u>			
1-17	<u>X</u>			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 543 By: Blanco

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the conveyance of property by a municipality for the
1-22 public purpose of economic development.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 253, Local Government Code, is amended
1-25 by adding Section 253.0125 to read as follows:

1-26 Sec. 253.0125. CONVEYANCE TO CERTAIN ENTITIES FOR ECONOMIC
1-27 DEVELOPMENT PURPOSES. (a) This section applies only to an entity
1-28 and a municipality that have entered into an economic development
1-29 agreement authorized by Chapter 380.

1-30 (b) Notwithstanding Section 253.008 or 272.001(a) or other
1-31 law and except as provided by Subsection (d), a municipality may
1-32 transfer to an entity real property or an interest in real property
1-33 for consideration described by this section.

1-34 (c) Consideration for a transfer authorized by this section
1-35 is in the form of an agreement between the parties that requires the
1-36 entity to use the property in a manner that primarily promotes a
1-37 public purpose of the municipality relating to economic
1-38 development. The agreement must include provisions under which the
1-39 municipality is granted sufficient control to ensure that the
1-40 public purpose is accomplished and the municipality receives the
1-41 return benefit.

1-42 (d) A municipality may not transfer for consideration
1-43 authorized by this section real property or an interest in real
1-44 property the municipality owns, holds, or claims as a public square
1-45 or park.

1-46 (e) Before a municipality may transfer real property or an
1-47 interest in real property under an agreement as provided by this
1-48 section, the municipality must provide notice to the public
1-49 published in a newspaper of general circulation in the county in
1-50 which the property is located or, if there is no such newspaper, by
1-51 any means for the municipality to provide public notice authorized
1-52 by statute or by ordinance of the municipality. The notice must:

1-53 (1) include a description of the property, including
1-54 its location;

1-55 (2) be provided within 10 days before the date the
1-56 property or an interest in the property is transferred; and

1-57 (3) be published for two separate days within the
1-58 period prescribed by Subdivision (2), if the notice is published in
1-59 a newspaper.

1-60 (f) A municipality may not transfer real property for

2-1 consideration described by this section if the property was
2-2 acquired by the municipality from the previous owner by the
2-3 exercise of eminent domain authority or the threat of the exercise
2-4 of eminent domain authority.

2-5 (g) This section does not constitute a grant or expansion of
2-6 eminent domain authority.

2-7 SECTION 2. This Act takes effect immediately if it receives
2-8 a vote of two-thirds of all the members elected to each house, as
2-9 provided by Section 39, Article III, Texas Constitution. If this
2-10 Act does not receive the vote necessary for immediate effect, this
2-11 Act takes effect September 1, 2023.

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