

BILL ANALYSIS

C.S.H.B. 2879
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Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that there are large lots of land throughout Texas that cannot be used because counties are unable to identify the owners of the land for various reasons. The parties contend that these areas, if properly identified and combined with other abandoned lots, could be developed in a manner that would be beneficial to the counties in which they are located. C.S.H.B. 2879 seeks to make beneficial use of that land.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2879 requires the General Land Office (GLO) to conduct a study of the feasibility of establishing a mechanism by which a governmental entity could acquire contiguous small parcels of real property that have nominal value and are located in a county that has a population of more than 800,000 and is located on the international border, combine the properties in a manner that makes the properties marketable for development, and convey the properties for development in a manner that complies with standards prescribed by model political subdivision rules adopted by the Texas Water Development Board for ensuring compliance with minimum safety and sanitary standards for water supply and sewer services in residential areas of political subdivisions.

C.S.H.B. 2879 requires the study to establish methods for identifying property suitable for acquisition; to establish methods for identifying owners of property considered suitable for acquisition; to identify appropriate methods of acquiring, holding title to, and conveying the property and include an analysis of the appropriateness of acquiring the property through the use of a land trust or another mechanism; to identify appropriate methods of compensating the owners of the property acquired; to identify any appropriate land use or development requirements or restrictions for the property; and to identify any legislative action necessary to facilitate the establishment of a mechanism under the bill's provisions.

C.S.H.B. 2879 requires the GLO, not later than December 1, 2016, to provide to the legislature a report containing the results of the study. The bill establishes that the GLO is required to implement the bill's provisions only if the GLO receives donations to cover the cost of conducting the study in an amount sufficient for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2879 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. (a) The General Land Office shall conduct a study of the feasibility of establishing a mechanism by which a governmental entity could:

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

(A) have nominal value; and

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

(2) combine the properties in a manner that makes the properties marketable for development; and

(3) convey the properties to a developer for development of the property in a manner that complies with standards prescribed by model subdivision rules adopted under Section 16.343, Water Code.

(b) The study conducted under this section must:

(1) establish methods for identifying property suitable for acquisition;

(2) establish methods for identifying owners of property considered suitable for acquisition;

(3) identify appropriate methods of acquiring, holding title to, and conveying the property and include an analysis of the appropriateness of acquiring the property through the use of a land trust or the exercise of the power of eminent domain;

(4) identify appropriate methods of compensating the owners of the property acquired;

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

(6) identify any legislative action necessary to facilitate the establishment of a mechanism described by this section.

(c) Not later than December 1, 2016, the General Land Office shall provide to the legislature a report containing the results of

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. (a) The General Land Office shall conduct a study of the feasibility of establishing a mechanism by which a governmental entity could:

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

(A) have nominal value; and

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

(2) combine the properties in a manner that makes the properties marketable for development; and

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

(b) The study conducted under this section must:

(1) establish methods for identifying property suitable for acquisition;

(2) establish methods for identifying owners of property considered suitable for acquisition;

(3) identify appropriate methods of acquiring, holding title to, and conveying the property and include an analysis of the appropriateness of acquiring the property through the use of a land trust or another mechanism;

(4) identify appropriate methods of compensating the owners of the property acquired;

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

(6) identify any legislative action necessary to facilitate the establishment of a mechanism described by this section.

(c) Not later than December 1, 2016, the General Land Office shall provide to the legislature a report containing the results of

the study conducted under this section.

No equivalent provision.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

the study conducted under this section.

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

SECTION 3. Same as introduced version.