

BILL ANALYSIS

S.B. 450
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have expressed concern that political subdivisions are often hesitant to foreclose on tax liens to vacant, abandoned, or nuisance properties due to potential tort liability for events, occurrences, or conditions on the property that may occur while the political subdivision is in the process of reselling the property. The parties contend that this issue may be ameliorated somewhat by expanding to include more political subdivisions the limited tort liability exemption applicable to a municipality. S.B. 450 seeks to provide for this exemption.

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

S.B. 450 amends the Civil Practice and Remedies Code to expand the applicability of statutory provisions excluding certain tort claims relating to land acquired by a municipality at a sale following the foreclosure of a lien held by the municipality from the application of the Texas Tort Claims Act to exclude from the application of that act such a claim against any political subdivision of this state that acquires land as a result of the foreclosure of a lien held by the political subdivision, including land that was bid off to the political subdivision if, at a sale of real property seized under a tax warrant, a sufficient bid was not received or that acquires land by means of the property owner's conveyance of that property to the political subdivision for the payment of taxes assessed against that real property.

EFFECTIVE DATE

September 1, 2015.