

BILL ANALYSIS

H.B. 3423
By: Lambert
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that state law regarding the sale of state-owned land to the public is outdated and does not adequately provide a method for a county clerk to show the transfer of title from the state to the new purchaser. H.B. 3423 seeks to update the law by authorizing county clerks to record such a sale of state-owned land in the county's official public records.

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

H.B. 3423 amends the Natural Resources Code to specify that the notice to a county clerk from the commissioner of the General Land Office of the sale of a tract of public school land is a written notice and to change the manner by which the clerk records such a sale from entering the sale information in the clerk's books to recording the notice at no charge in the official public records of the county. The bill requires a copy of a land award issued by the commissioner for a tract of sovereign land sold to be sent to the county clerk of the proper county to be recorded at no charge in the official public records of the county. The bill changes the manner by which an original vacancy application relating to the purchase or lease of land claimed to be vacant is recorded from recording in a book kept for that purpose separate from the deed or real property records of the county to recording in the official public records of the county.

H.B. 3423 amends the Property Code to exempt a notice of sale of a tract of public school land and a land award for a tract of sovereign land sold from statutory provisions relating to instruments concerning property and an original signature required for certain instruments.

EFFECTIVE DATE

September 1, 2017.