

SUBJECT: Allowing emergency service districts to receive land from other entities

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 5 ayes — W. Smith, Bolton, Farabee, Harless, Leibowitz

0 nays

4 absent — Naishtat, Coleman, Heflin, T. Smith

WITNESSES: For — John Carlton, Texas State Association of Fire and Emergency Districts; (*Registered, but did not testify*: Julie Acevedo, Texas Fire Chiefs; Shanna Igo, Texas Municipal League)

Against — None

BACKGROUND: Before land owned by a political subdivision of the state may be sold or exchanged for other land, standard notice to the public and bidding usually must occur. Local Government Code, sec. 272.001 provides a list of the types of land and real property interests owned by a political subdivision to which the standard notice and bidding requirements do not apply, including:

- narrow strips of land, or land that is limited in use because of its shape or lack access to roads;
- streets or alleys, owned in fee or used by easement;
- land originally acquired for streets, rights of way, or similar purposes that the political subdivision chooses to swap for other land;
- land that the political subdivision wants to have developed by contract with an independent foundation; and
- a real property interest conveyed to a governmental entity that has the power of eminent domain.

DIGEST: CSHB 3068 would add a real property interest conveyed to an emergency services district to the list of land or interests to which political subdivisions could convey, sell, or exchange property or property interest without the standard notice and bidding requirements.

**SUPPORTERS  
SAY:**

CSHB 3860 would facilitate the acquisition of land by emergency services districts, which are political subdivisions that do not have the power of eminent domain. As such, it can be difficult for these districts to acquire property that they need to locate fire stations and carry out their other important functions. Under sec. 272.001, they currently are required to compete with private interests as part of the notice and bid procedure with regard to property for sale. By adding property conveyed to emergency services districts to the list of exceptions in sec. 272.001(b), the bill would allow these districts to work in cooperation with other political subdivisions to locate their essential public facilities.

**OPPONENTS  
SAY:**

No apparent opposition.