

## **BILL ANALYSIS**

Senate Research Center

H.B. 1051  
By: Gutierrez (Wentworth)  
State Affairs  
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Engrossed

### **DIGEST**

Currently, the Texas Open Meetings Act allows governmental bodies to deliberate real estate transactions in closed meetings. The rationale behind this exception is based on the fact that open discussions of the amount for which a governmental body would be willing to buy or sell property would put the governmental body at a negotiating disadvantage. While the exception was not intended to be used as a blank check to cut private deals without public input or debate, recent actions by the University of Texas-Pan American and the Edinburg Independent School District have raised the question of whether the exception serves its intended purpose when all parties to a transaction are governmental bodies. H.B. 1051 removes the open meetings exception for real estate transactions if both parties to the transaction are governmental bodies.

### **PURPOSE**

As proposed, H.B. 1051 requires proposed real property transactions between governmental bodies to be deliberated in an open meeting.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 551.072, Government Code, to provide that Subsection (a) does not apply if each party to the proposed purchase, exchange, or lease is a governmental body. Makes a conforming change.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.