

## **BILL ANALYSIS**

Senate Research Center  
76R10834 PAM-F

H.B. 2162  
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Natural Resources  
5/13/1999  
Engrossed

### **DIGEST**

Currently, there are no public input requirements when the state sells or leases its land for nongovernmental use. Community notification and participation in the sale or lease of state land for nongovernmental use may help to ensure responsible and accountable development. H.B. 2162 provides guidelines to promote public comment and input relating to the development of state owned land.

### **PURPOSE**

As proposed, H.B. 2162 provides regulations regarding the process for preparing a development plan before certain state owned property is offered for sale or lease.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the commissioner of the General Land Office in SECTION 1 (Section 31.1611(f), Natural Resources Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 31E, Natural Resources Code, by adding Section 31.1611, as follows:

Sec. 31.1611. PUBLIC HEARING BEFORE PREPARATION OF DEVELOPMENT PLAN. Require the asset management division (division), if the division is requested to prepare a development plan (plan), to notify the local government to which the plan will be submitted, of the division's intent to prepare a plan. Requires the division to provide the local government with certain information. Authorizes the local government, within a certain time period, to request the division hold a public hearing. Requires the division to hold a public hearing if requested by the local government. Sets forth requirements for the public hearing. Authorizes the commissioner of the General Land Office (commissioner) to hold a public hearing to solicit public comment, if the local government does not request a public hearing. Sets forth requirements for the public hearing. Authorizes a public hearing under this section to include certain presentations, oral comments, and written comments. Requires the division to prepare a summary of the information and testimony presented at a hearing. Authorizes the division to develop recommendations based on the information and testimony. Requires the division to prepare and deliver a report to the commissioner summarizing the information and testimony presented and the views presented by the state, the affected local governments, and other persons who participated in the hearing process. Requires the commissioner to review the division's report and may instruct the division to incorporate information based on the report in preparing the plan. Authorizes the commissioner to adopt rules to implement this section. Requires the division to administer the process provided by this section.

SECTION 2. Amends Section 31.167(a), Natural Resources Code, to authorize the division, at the direction of the commissioner, to revise a plan to conserve and enhance the value of marketability of property, if the division does not receive a bid or auction solicitation for real property subject to the plan.

SECTION 3. Emergency clause.

Effective date: upon passage.