

## **BILL ANALYSIS**

Senate Research Center

H.B. 3349  
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Intergovernmental Relations  
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Engrossed

### **DIGEST AND PURPOSE**

Vacant inner city land could be used by community-based nonprofit organizations to provide safe, decent, and reasonably priced housing for low-income residents. However, the nonprofit organizations may have difficulty obtaining a clear title to the land due to complex ownership issues. H.B. 3349 provides a judicial mechanism by which a community-based nonprofit organization can obtain clear title to land for the development of low-income housing.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 29.001, 29.002, and 29.003, Property Code, as follows:

Sec. 29.001. Provides that this chapter applies only to real property that is not exempt from forced sale under the constitution or laws of this state and meets certain other requirements.

Sec. 29.002. PETITION FOR FORCED SALE. Authorizes a person, including a nonprofit organization, that owns an undivided interest in real property to which this chapter applies to file in the district court in a county in which the property is located a petition for a court order to require another owner of an undivided interest in that property to sell the other owner's interest in the property to the person under certain conditions. Requires the petition to contain certain information.

Sec. 29.003. HEARING ON PETITION FOR FORCED SALE. Requires a petitioner, at a hearing on a petition filed under Section 29.002, to prove certain facts by clear and convincing evidence.

SECTION 2. Amends Chapter 29, Property Code, by adding Section 29.0035, as follows:

Sec. 29.0035. DEMAND TO UNKNOWN DEFENDANT. Requires, if the address or identity of the defendant is unknown, the demand of the petitioner for reimbursement from the defendant required by Section 29.003(2) to be met by publication in a newspaper in the county in which the property is located once each week for four consecutive weeks, with the final publication occurring not later than the 30th day before the date on which the petition is filed. Requires the publication to contain certain information.

SECTION 3. Effective date: upon passage or September 1, 2001.