

BILL ANALYSIS

Senate Research Center
85R24316 PAM-F

H.B. 3178
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that certain political subdivisions should have the authority to contract with a broker to lease or sell a tract of real property that is owned by the subdivision. H.B. 3178 seeks to provide the Dallas County Hospital District with such authority.

H.B. 3178 amends current law relating to the use of a broker for the exchange of land by certain political subdivisions.

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 Section 272.001(a), Local Government Code, to create an exception to the requirement to give a certain notice relating to the sale of land owned by a political subdivision of the state under Section 272.007.

SECTION 2. Amends Chapter 272, Local Government Code, by adding Section 272.007, as follows:

Sec. 272.007. BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY BY CERTAIN POLITICAL SUBDIVISIONS. (a) Defines "broker."

(b) Authorizes a political subdivision, other than a home-rule municipality or a county, to contract with a broker to lease or sell a tract of real property that is owned by the political subdivision.

(c) Authorizes the political subdivision to pay a fee if a broker produces a ready, willing, and able buyer to purchase a tract of real property.

(d) Authorizes the political subdivision, if a contract made under Subsection (b) requires a broker to list the tract of real property for sale in a certain manner, on or after the 30th day after the date the property is listed to sell the tract of real property to a ready, willing, and able buyer who is produced by any broker who meets certain conditions.

(e) Requires the political subdivision to post a notice of intent to sell the real property in a newspaper of general circulation, not less than once, at least 14 days before the date the political subdivision accepts an offer produced by a broker.

(f) Authorizes the political subdivision to sell a tract of real property under this section without complying with the requirements of Section 272.001 (Notice of Sale or Exchange of Land by Political Subdivision; Exceptions).

SECTION 3. Effective date: upon passage or September 1, 2017.