

## CHAPTER 429

H.B. No. 1091

## AN ACT

relating to the right of certain lessees of land owned by municipalities to purchase the leased land for the fair market value of the land.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 272.001, Local Government Code, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a) Except for the types of land and interests covered by Subsection (b), ~~[(g)]~~ (g), or (h), before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The notice must include a description of the land, including its location, and the procedure by which sealed bids to purchase the land or offers to exchange the land may be submitted. The notice must be published on two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication.

(h) *A municipality having a population of 250,000 or less and owning land within 5,000 feet of where the shoreline of a lake would be if the lake were filled to its storage capacity may, without notice or the solicitation of bids, sell the land to the person leasing the land for the fair market value of the land as determined by a certified appraiser. While land described by this subsection is under lease, the municipality owning the land may not sell the land to any person other than the person leasing the land. In this subsection, "lake" means an inland body of standing water, including a reservoir formed by impounding the water of a river or creek but not including an impoundment of salt water or brackish water, that has a storage capacity of more than 10,000 acre-feet.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 15, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 1091 on May 22, 1993, by a non-record vote; passed by the Senate, with amendments, on May 18, 1993: Yeas 31, Nays 0.

Approved June 6, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.