

CHAPTER 206

H.B. No. 647

AN ACT

relating to the sale of real property by municipalities.

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

SECTION 1. Chapter 253, Local Government Code, is amended by adding Section 253.007 to read as follows:

Sec. 253.007. SALE OF REAL PROPERTY BY PUBLIC AUCTION. (a) The governing body of a municipality may sell real property owned by the municipality by public auction or by sealed bid under Section 272.001.

(b) To sell real property by public auction, the governing body of a municipality shall publish notice of the auction before the 20th day before the date the auction is held. The notice for sale of the real property must be published once a week for three consecutive weeks before the date the auction is held in a newspaper of general circulation in the county in which the municipality is located and, if the real property is located in another county, in a newspaper of general circulation in the county in which the real property is located. The notice must include a description of the real property, including its location, and the date, time, and location at which the auction is to be held.

SECTION 2. Section 272.001(a), Local Government Code, is amended to read as follows:

(a) Except for the types of land and interests covered by Subsection (b) or (g) and except as provided by Section 253.007, 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.

SECTION 3. 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; passed by the Senate on May 12, 1993: Yeas 31, Nays 0.

Approved May 19, 1993.

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