

CHAPTER 1069

S.B. No. 765

AN ACT

relating to the sale or exchange of land by the Parks and Wildlife Department.

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

SECTION 1. Section 13.009, Parks and Wildlife Code, is amended to read as follows:

Sec. 13.009. SALE OR EXCHANGE OF LAND. (a) The director with the approval of the commission may execute a deed exchanging real property or an interest in real property either as all or partial consideration for other real property or interest in real property to be used by the department for *the same purpose as the property relinquished* [~~a state park, historic site, scientific area, fish hatchery, or game management area~~]. The director with the approval of the commission may execute a deed selling real property or an interest in real property *under the jurisdiction of the department* [~~acquired as a state park, historic site, scientific area, fish hatchery, or game management area~~] if the real property is no longer suitable for the purpose for which it was acquired.

(b) [~~All state land exchanged under this section shall be for other land suitable for use as a park, historic site, scientific area, fish hatchery, or game management area.~~

(c) [e] The state shall receive a good and marketable title to all land exchanged under this section. The title to land received in the exchange must be approved by the attorney general.

(d) [(d)] All land to be received in the exchange must be appraised and if the land to be received is of greater value, as determined by an independent and competent appraisal, than the state land exchanged, the department may use funds available for land acquisitions as a partial consideration for the exchange.

(e) [(e)] All transactions for the exchange of land under this section must have the prior written approval of the governor.

(f) [(f)] The receipts from the sale of land under this section shall be used for *improving or* [~~the sole purpose of~~] acquiring other real property dedicated to the same purpose for which the land sold was dedicated.

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 the Senate on May 11, 1987, by the following vote: Yeas 28, Nays 0. Passed the House on May 26, 1987, by the following vote: Yeas 139, Nays 3, two present not voting.

Approved June 20, 1987.

Effective June 20, 1987.