(c) This section does not affect a person’s duty to register with secondary sex offender registries under this chapter, such as those described by Articles 62.059 and 62.153.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2825 on May 24, 2013: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1037
H.B. No. 2840
AN ACT
relating to the urban land bank demonstration program in certain municipalities.

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

SECTION 1. Section 379C.005, Local Government Code, is amended to read as follows:

Sec. 379C.005. QUALIFIED PARTICIPATING DEVELOPER. To qualify to participate in an urban land bank demonstration program, a developer must:

(1) have built one [three] or more housing units within the three-year period preceding the submission of a proposal to the land bank seeking to acquire real property from the land bank;

(2) have a development plan approved by the municipality for the land bank property; and

(3) meet any other requirements adopted by the municipality in the urban land bank demonstration plan.

SECTION 2. Section 379C.009, Local Government Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) Except as provided by Subsection (b-1), the land bank must sell a property to a qualified participating developer within the four-year period following the date of acquisition for the purpose of construction of affordable housing for sale or rent to low income households.

(b-1) Before the completion of the four-year period described by Subsection (b), the land bank may, subject to Section 379C.0106:

(1) transfer property that the land bank determines is not appropriate for residential development to the taxing units described by Subsection (b); or

(2) sell property described by Subdivision (1) to a political subdivision or a nonprofit organization.

(b-2) If after four years a qualified participating developer has not purchased the property, the property shall be transferred from the land bank to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law.

SECTION 3. Section 379C.0106(a), Local Government Code, is amended to read as follows:

(a) In this section, "eligible adjacent property owner" means a person who:

(1) owns property located adjacent to property owned by the land bank; and

(2) has owned the adjacent property and continuously occupied that property as a primary residence for the two-year period preceding the date of the sale, and
SECTION 4. Chapter 379C, Local Government Code, is amended by adding Section 379C.014 to read as follows:

Sec. 379C.014. ADDITIONAL AUTHORIZED USE OF LAND BANK PROPERTY. (a) Notwithstanding the other provisions of this chapter, the land bank may sell property to a developer to allow the construction of a grocery store that has at least 6,000 square feet of enclosed space and that offers for sale fresh produce and other food items for home consumption.

(b) To qualify to purchase property from the land bank under this section, a developer is not required to be a qualified participating developer but must obtain the municipality’s approval of a development plan for the land bank property and must develop the property in accordance with the approved development plan.

(c) A sale under this section within the four-year period following the date of acquisition of the property by the land bank satisfies the requirement under Section 379C.009(b) that the property be sold within that period to a qualified participating developer.

(d) The land bank may sell property as provided by this section only after granting any rights of first refusal otherwise required by this chapter, and any completed sale under this section remains subject to the right of reverter provided by Section 379C.009(d).

SECTION 5. This Act takes effect September 1, 2013.

Passed by the House on May 4, 2013: Yeas 118, Nays 11, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2840 on May 21, 2013: Yeas 81, Nays 64, 3 present, not voting; passed by the Senate, with amendments, on May 17, 2013: Yeas 28, Nays 2.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1038

H.B. No. 2859

AN ACT

relating to the amount of money authorized to be used for Clean Air Act local initiative projects related to vehicles.

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

SECTION 1. Section 382.220(d), Health and Safety Code, is amended to read as follows:

(d) Fees collected under Sections 382.202 and 382.302 may be used only in an amount not to exceed $7 ([$5]) million per fiscal year[,] for projects described by Subsection (b), of which $2 million may be used only for projects described by Subsection (b)(4). The remaining $5 million may be used for any project described by Subsection (b). The fees shall be made available only to counties participating in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs created under Section 382.209 and only on a matching basis, whereby the commission provides money to a county in the same amount that the county dedicates to a project authorized by Subsection (b). The commission may reduce the match requirement for a county that proposes to develop and implement independent test facility fraud detection programs, including the use of remote sensing technology for coordinating with law enforcement officials to detect, prevent, and prosecute the use of counterfeit state inspection stickers.

SECTION 2. This Act takes effect September 1, 2013.

Passed by the House on May 7, 2013: Yeas 120, Nays 24, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2859 on May 24, 2013: Yeas 108, Nays 35, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 29, Nays 2.