

## **BILL ANALYSIS**

Senate Research Center

H.B. 1665  
By: Oliveira (Lucio)  
Jurisprudence  
5-14-97  
Engrossed

### **DIGEST**

The Property Code does not require the seller of unimproved real property to disclose to a potential buyer the location of subsurface pipelines. As agricultural land is being converted for residential purposes, buyers are often unaware of potentially hazardous underground pipelines underneath the property being bought. This bill sets forth provisions regarding the disclosure of the location of certain subsurface conditions by a person who is selling unimproved real property to be used for residential purposes.

### **PURPOSE**

As proposed, H.B. 1665 sets forth provisions regarding the disclosure of the location of certain subsurface conditions by a person who is selling unimproved real property to be used for residential purposes.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 5A, Property Code, by adding Section 5.010, as follows:

Sec. 5.0101. SELLER'S DISCLOSURE OF LOCATION OF CONDITIONS UNDER SURFACE OF UNIMPROVED REAL PROPERTY. Requires a seller of unimproved real property to be used for residential purposes to provide to the purchaser of the property a written notice disclosing the location of certain transportation pipelines. Sets forth provisions regarding the notice. Provides that this section applies to any seller of unimproved real property, including a seller who is the developer of the property and who sells the property to others for resale. Defines "hazardous substance" and "hazardous waste." Provides that a seller is not required to give the notice under certain conditions.

SECTION 2. Makes application of this Act prospective to January 1, 1998.

SECTION 3. Emergency clause.  
Effective date: upon passage.