

BILL ANALYSIS

Senate Research Center
85R29815 MEW-F

C.S.H.B. 3178
By: Anchia (Huffines)
Intergovernmental Relations
5/15/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that certain political subdivisions should have the authority to contract with a broker to lease or sell a tract of real property that is owned by the subdivision. C.S.H.B. 3178 seeks to provide the Dallas County Hospital District with such authority.

C.S.H.B. 3178 amends current law relating to the use of a broker for the sale or lease of real property by the Dallas County Hospital District.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 281, Health and Safety Code, by adding Section 281.059, as follows:

Sec. 281.059. DALLAS COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) Defines "broker" and "district."

(b) Authorizes the Dallas County Hospital District (district), except as provided by Subsection (c), to contract with a broker to lease or sell a tract of real property that is owned by the district.

(c) Prohibits the district from contracting with a broker who is related within the third degree of consanguinity, as determined under Chapter 573 (Degrees of Relationship; Nepotism Prohibitions), Government Code, to a member of the board of hospital managers of the district or a public official who serves on the Dallas County Commissioners Court.

(d) Authorizes the district to pay a fee if a broker produces a ready, willing, and able buyer to purchase a tract of real property.

(e) Authorizes the district, on or after the 30th day after the date the real property is listed, if a contract made under Subsection (b) requires a broker to list the tract of real property for sale at least 30 days with a multiple-listing service used by other brokers in the county in which the real property is located, to sell the tract of property to a ready, willing, and able buyer who is produced by any broker, including a broker described by Subsection (c), using the multiple-listing service and who submits the most advantageous offer.

(f) Requires the district to post a notice of intent to sell the real property in a newspaper of general circulation, not less than once, at least 14 days before the date the district accepts an offer produced by a broker.

(g) Authorizes the district to sell a tract of real property under this section without complying with the requirements of Section 272.001 (Notice of Sale or Exchange of Land by Political Subdivision; Exceptions), Local Government Code.

SECTION 2. Effective date: upon passage or September 1, 2017.