

Chapter 539

H.B. No. 1716

AN ACT

1
2 relating to the term for a lease of land owned by certain navigation
3 districts.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 60.039(a), Water Code, is amended to
6 read as follows:

7 (a) The commission may lease the surface of land for not
8 more than 50 [~~30~~] years by the entry of an order on the minutes of
9 the commission and the execution of a lease in the manner provided
10 by the original order. The lease may not be extended beyond the
11 50-year [~~30-year~~] period by renewal, extension, or otherwise.

12 SECTION 2. Section 60.040, Water Code, is amended to read as
13 follows:

14 Sec. 60.040. PUBLICATION OF NOTICE FOR SALES AND LEASES IN
15 EXCESS OF 50 [~~30~~] YEARS. Before making a sale or lease of land for
16 more than 50 [~~30~~] years, the commission shall publish a notice in
17 the manner provided in Section 60.035 [~~of this subchapter~~].

18 SECTION 3. Section 60.041, Water Code, is amended to read as
19 follows:

20 Sec. 60.041. SECURITY FOR BIDS ON LAND TO BE SOLD OR LEASED
21 FOR MORE THAN 50 [~~30~~] YEARS. Each bid submitted on land to be sold
22 or leased for more than 50 [~~30~~] years shall be accompanied by a
23 certified check, cashier's check, or bidder's bond with a
24 responsible corporate surety authorized to do business in Texas.

1 The check or bond shall be in an amount equal to the bid for the land
2 or for the first rental payment under the lease and shall guarantee
3 that the bidder will perform the terms of the [~~his~~] bid if it is
4 accepted by the commission.

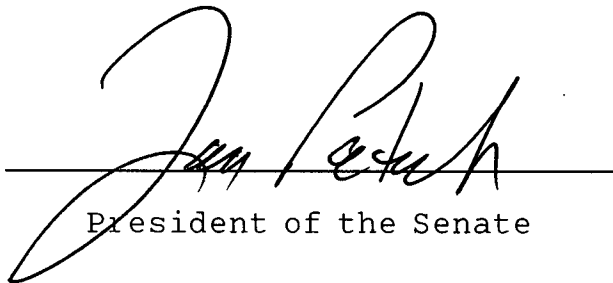
5 SECTION 4. The heading to Section 60.042, Water Code, is
6 amended to read as follows:

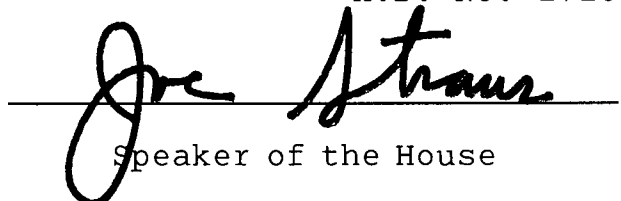
7 Sec. 60.042. AWARD AND EXECUTION OF DEED OR LEASE IN EXCESS
8 OF 50 [~~30~~] YEARS.

9 SECTION 5. The changes in law made by this Act apply only to
10 a lease entered into on or after the effective date of this Act. A
11 lease entered into before the effective date of this Act is governed
12 by the law in effect on the date the lease was entered into, and the
13 former law is continued in effect for that purpose.

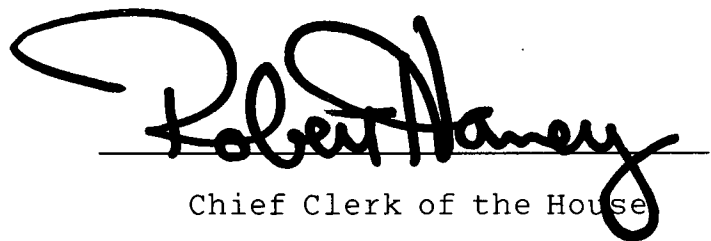
14 SECTION 6. This Act takes effect September 1, 2015.

H.B. No. 1716

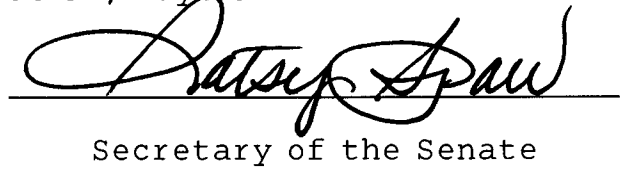

President of the Senate


Speaker of the House

I certify that H.B. No. 1716 was passed by the House on April 16, 2015, by the following vote: Yeas 146, Nays 0, 2 present, not voting.


Chief Clerk of the House

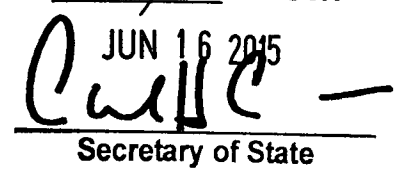
I certify that H.B. No. 1716 was passed by the Senate on May 22, 2015, by the following vote: Yeas 31, Nays 0.


Secretary of the Senate

APPROVED: 6-5-2015
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:50 pm O'CLOCK

JUN 16 2015

Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1716 by Oliveira (Relating to the term for a lease of land owned by certain navigation districts.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to permit certain navigation districts to lease the surface of land for up to 50 years.

Local Government Impact

There would be a fiscal impact on navigation districts in savings of the decreasing cost of legal fees, the drafting of new contracts, and advertisement and filing fees. There would be revenue gain for navigation districts from the increased value of longer term contracts. These amounts would vary depending on the entity and terms of the lease.

The Port Isabel-San Benito Navigation District reported \$2,170 savings in renewal requirements of leases and \$94,500 in revenue gains from increased lease value to tenants.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: UP, AG, CL, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 23, 2015

TO: Honorable René Oliveira, Chair, House Committee on Business & Industry

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1716** by Oliveira (Relating to the term for a lease of land owned by certain navigation districts.), **As Introduced**

No fiscal implication to the State is anticipated.

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LBB Staff: UP, CL, SD, EK