

1-1 By: Huberty (Senate Sponsor - Bettencourt) H.B. No. 3951
 1-2 (In the Senate - Received from the House May 18, 2015;
 1-3 May 18, 2015, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 24, 2015, reported favorably by
 1-5 the following vote: Yeas 6, Nays 0; May 24, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt	X			
1-9 Campbell			X	
1-10 Garcia	X			
1-11 Menéndez	X			
1-12 Nichols	X			
1-13 Taylor of Galveston	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the eligibility of persons to participate in an ad
 1-18 valorem tax sale of real property; creating a criminal offense.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter A, Chapter 34, Tax Code, is amended by
 1-21 adding Section 34.011 to read as follows:

1-22 Sec. 34.011. BIDDER REGISTRATION. (a) This section
 1-23 applies only to a sale of real property under this chapter conducted
 1-24 in a county in which the commissioners court by order has adopted
 1-25 the provisions of this section.

1-26 (b) A commissioners court may require that, to be eligible
 1-27 to bid at a sale of real property under this chapter, a person must
 1-28 be registered as a bidder with the county assessor-collector before
 1-29 the sale begins. The county assessor-collector may adopt rules
 1-30 governing the registration of bidders under this section. The
 1-31 county assessor-collector may require a person registering as a
 1-32 bidder:

- 1-33 (1) to designate the person's name and address;
- 1-34 (2) to provide valid proof of identification;
- 1-35 (3) to provide written proof of authority to bid on
 1-36 behalf of another person, if applicable;
- 1-37 (4) to provide any additional information reasonably
 1-38 required by the county assessor-collector; and
- 1-39 (5) to at least annually execute a statement on a form
 1-40 provided by the county assessor-collector certifying that there are
 1-41 no delinquent ad valorem taxes owed by the person registering as a
 1-42 bidder to the county or to any taxing unit having territory in the
 1-43 county.

1-44 (c) The county assessor-collector shall issue a written
 1-45 registration statement to a person who has registered as a bidder
 1-46 under this section. A person is not eligible to bid at a sale of real
 1-47 property under this chapter unless the county assessor-collector
 1-48 has issued a written registration statement to the person before
 1-49 the sale begins.

1-50 SECTION 2. Section 34.015(p), Tax Code, is amended to read
 1-51 as follows:

1-52 (p) This section applies only to a sale of real property
 1-53 under Section 34.01 that is conducted in:

1-54 (1) a county with a population of 250,000 or more in
 1-55 which the commissioners court has not by order adopted the
 1-56 provisions of Section 34.011; or

1-57 (2) a county with a population of less than 250,000 in
 1-58 which the commissioners court by order has adopted the provisions
 1-59 of this section.

1-60 SECTION 3. Sections 34.0445(a) and (c), Civil Practice and
 1-61 Remedies Code, are amended to read as follows:

2-1 (a) An officer conducting a sale of real property under this
2-2 subchapter may not execute or deliver a deed to the purchaser of the
2-3 property unless the purchaser exhibits to the officer:

2-4 (1) an unexpired written statement issued to the
2-5 person in the manner prescribed by Section 34.015, Tax Code,
2-6 showing that the county assessor-collector of the county in which
2-7 the sale is conducted has determined that:

2-8 (A) [~~(1)~~] there are no delinquent ad valorem
2-9 taxes owed by the person to that county; and

2-10 (B) [~~(2)~~] for each school district or
2-11 municipality having territory in the county there are no known or
2-12 reported delinquent ad valorem taxes owed by the person to that
2-13 school district or municipality; or

2-14 (2) the written registration statement issued to the
2-15 person in the manner prescribed by Section 34.011, Tax Code,
2-16 showing that the person is a registered bidder at the sale at which
2-17 the property is sold.

2-18 (c) The deed executed by the officer conducting the sale
2-19 must name the successful bidder as the grantee and recite that the
2-20 successful bidder exhibited to that officer:

2-21 (1) an unexpired written statement issued to the
2-22 person in the manner prescribed by Section 34.015, Tax Code,
2-23 showing that the county assessor-collector of the county in which
2-24 the sale was conducted determined that:

2-25 (A) [~~(1)~~] there are no delinquent ad valorem
2-26 taxes owed by the person to that county; and

2-27 (B) [~~(2)~~] for each school district or
2-28 municipality having territory in the county there are no known or
2-29 reported delinquent ad valorem taxes owed by the person to that
2-30 school district or municipality; or

2-31 (2) the written registration statement issued to the
2-32 person in the manner prescribed by Section 34.011, Tax Code,
2-33 showing that the person is a registered bidder at the sale at which
2-34 the property is sold.

2-35 SECTION 4. The changes in law made by this Act apply only to
2-36 the sale of real property under Subchapter C, Chapter 34, Civil
2-37 Practice and Remedies Code, or Chapter 34, Tax Code, on or after the
2-38 effective date of this Act.

2-39 SECTION 5. This Act takes effect January 1, 2016.

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