

**NUECES COUNTY HOSPITAL DISTRICT  
BOARD OF MANAGERS  
Board Legislative Committee - Regular Meeting  
Tuesday, May 23, 2023 at 11:45 AM**

**AGENDA**

**1. WELCOME**

**2. ROLL CALL OF COMMITTEE MEMBERS**

\_\_\_ Arthur Granado, Chairman  
\_\_\_ Vishnu V. Reddy, M.D.  
\_\_\_ Judge Mariana Garza

**3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING CONFIRMATION, AND CLOSED MEETING NOTICE**

A. Call to order.

B. Establish quorum.

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

D. Public notice is hereby given that the Committee may elect to go into Closed Meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.

**4. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST.** Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time.

**5. PUBLIC COMMENT** - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Committee's responsibilities must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Committee meeting room at least five (5) minutes prior to commencement of the meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Committee's responsibilities must verbally notify the presiding officer of their desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Committee through a translator

shall limit their comments to six (6) minutes.

**6. REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Receive information on 88th Texas Session Legislative Agenda, as amended. (*INFORMATION*) 3

B. Receive information on select Bills in the 88th Texas Session Legislative Session. (*INFORMATION*) 14

**7. ADMINISTRATOR'S BRIEFING:**

A. Next scheduled regular Committee meeting (meeting's date, time, and location subject to change):

1. Next Meeting: Tuesday, June 27, 2023, 11:45 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401.

**8. ADJOURN**

# DATES OF INTEREST | 88<sup>TH</sup> LEGISLATURE

## Interim

- Tuesday, November 8, 2022 General election for federal, state, and county officers  
[\[Sec. 41.001\(a\)\(3\), Election Code\]](#)
- Monday, November 14, 2022 First day legislators and legislators-elect may file bills for the 88th Legislature  
[\[House Rule 8, Sec. 7; Senate Rule 7.04\(a\)\]](#)

## Regular Session Begins

- Tuesday, January 10, 2023 88th Legislature convenes at noon  
(1st day) [\[Sec. 5\(a\), Article III, Texas Constitution; Sec. 301.001, Government Code\]](#)

### Upon the convening of the 88th Legislature

The comptroller of public accounts delivers the *Biennial Revenue Estimate* to the governor and the 88th Legislature

[\[Sec. 49a, Article III, Texas Constitution\]](#)

- Tuesday, January 17, 2023 LBB budget estimates delivered to the governor and the 88th Legislature  
[\[Sec. 322.008\(c\), Government Code\]](#)

LBB general appropriations bill delivered to the governor and the 88th Legislature

[\[Sec. 322.008\(d\), Government Code\]](#)

### Before the governor's State of the State address to the 88th Legislature

The governor delivers the governor's budget to the 88th Legislature

[\[Sec. 401.046\(a\), Government Code\]](#)

- Friday, March 10, 2023 Deadline for the unrestricted filing of bills and joint resolutions other than  
(60th day) local bills, emergency appropriations, and emergency matters submitted by the governor

[\[House Rule 8, Secs. 8 and 10\(c\); Senate Rule 7.07\(b\); Senate Rule 10.01 subjects joint resolutions to the rules governing proceedings on bills\]](#)

- Saturday, April 15, 2023 First day that a senator may place up to five bills or resolutions on the Senate  
Notice of Intent Calendar

[\[Senate Rule 5.14\(a\)\]](#)

- Monday, May 8, 2023 Last day for House committees to report House bills and House joint  
(119th day) resolutions

*[The House rules do not contain an express deadline for committees to report measures, but, technically, this is the last day for a House committee to report a House bill or House joint resolution in order for the measure to have any chance of being placed on a House calendar. **However**, this deadline **does not** take into consideration the time required to: (1) prepare the bill analysis; (2) obtain an updated fiscal note or impact statement; (3) prepare any other paperwork required for a committee report; or (4) prepare the committee report for distribution to the members of the House as required by the rules. **Realistically**, it normally takes a full day or more for a measure to reach the Calendars Committee after the measure has been reported from committee.]*

# DATES OF INTEREST | 88<sup>TH</sup> LEGISLATURE

Tuesday, May 9, 2023, by 10 p.m. (120th day)	Deadline for the House to distribute its last House daily calendar with House bills and House joint resolutions <i>[relates to <a href="#">House Rule 6, Sec. 16(a)</a>, requiring 36-hour layout of daily calendars before consideration, and <a href="#">House Rule 8, Sec. 13(b)</a>, establishing the deadline for consideration]</i>
Wednesday, May 10, 2023, by 9 a.m. (121st day)	Deadline for the House to distribute its last House local and consent calendar with consent House bills <i>[relates to <a href="#">House Rule 6, Sec. 13(a)</a>, requiring 48-hour layout of local and consent calendars before consideration, and <a href="#">House Rule 8, Sec. 13(b)</a>, establishing the deadline for consideration]</i>
Thursday, May 11, 2023 (122nd day)	Last day for the House to consider 2nd reading House bills and House joint resolutions on the daily or supplemental calendar <i>[<a href="#">House Rule 8, Sec. 13(b)</a>]</i>
Friday, May 12, 2023 (123rd day)	Last day for the House to consider consent House bills on the local and consent calendar on 2nd and 3rd reading and all 3rd reading House bills and House joint resolutions on the supplemental calendar <i>[<a href="#">House Rule 8, Sec. 13(b)</a>]</i>
Monday, May 15, 2023 (126th day)	First day the Senate can consider bills and resolutions on the first day they are posted on the Senate Notice of Intent Calendar <i>[<a href="#">Senate Rule 5.14(b)</a>]</i>
Wednesday, May 17, 2023, by 9 a.m. (128th day)	Deadline for the House to distribute its last House local and consent calendar with local House bills <i>[relates to <a href="#">House Rule 6, Sec. 13(a)</a>, requiring 48-hour layout of local and consent calendars before consideration, and <a href="#">House Rule 8, Sec. 13(a)</a>, establishing the deadline for consideration]</i>
Friday, May 19, 2023 (130th day)	Last day for the House to consider local House bills on the local and consent calendar on 2nd and 3rd reading <i>[<a href="#">House Rule 8, Sec. 13(a)</a>]</i>
Saturday, May 20, 2023 (131st day)	Last day for House committees to report Senate bills and Senate joint resolutions <i>[The House rules do not contain an express deadline for committees to report measures, but, technically, this is the last day for a House committee to report a Senate bill or Senate joint resolution in order for the measure to have any chance of being placed on a House calendar. <b>However</b>, this deadline <b>does not</b> take into consideration the time required to: (1) prepare the bill analysis; (2) obtain an updated fiscal note or impact statement; (3) prepare any other paperwork required for a committee report; or (4) prepare the committee report for distribution to the members of the House as required by the rules. <b>Realistically</b>, it normally takes a full day <b>or more</b> for a measure to reach the Calendars Committee after the measure has been reported from committee.]</i>
Sunday, May 21, 2023, by 10 p.m. (132nd day)	Deadline for the House to distribute its last House daily calendar with Senate bills and Senate joint resolutions <i>[relates to <a href="#">House Rule 6, Sec. 16(a)</a>, requiring 36-hour layout of daily calendars before consideration, and <a href="#">House Rule 8, Sec. 13(c)</a>, establishing the deadline for consideration]</i>
Monday, May 22, 2023, by 9 a.m. (133rd day)	Deadline for the House to distribute its last House local and consent calendar with Senate bills <i>[relates to <a href="#">House Rule 6, Sec. 13(a)</a>, requiring 48-hour layout of local and consent calendars before consideration, and <a href="#">House Rule 8, Sec. 13(c)</a>, establishing the deadline for consideration]</i>

# DATES OF INTEREST | 88<sup>TH</sup> LEGISLATURE

**Tuesday, May 23, 2023**  
(134th day) Last day for the House to consider 2nd reading Senate bills and Senate joint resolutions on the daily or supplemental calendar  
*[[House Rule 8, Sec. 13\(c\)](#)]*

**Wednesday, May 24, 2023**  
(135th day) Last day for the House to consider local and consent Senate bills on 2nd and 3rd reading and all 3rd reading Senate bills and Senate joint resolutions on the supplemental calendar  
*[[House Rule 8, Sec. 13\(c\)](#)]*

Last day for the Senate to consider all bills and joint resolutions on 2nd or 3rd reading\*  
*[[Senate Rule 7.25](#); [Senate Rule 10.01](#) subjects joint resolutions to the rules governing proceedings on bills]*

*[\*The Senate deadline for passing all bills and joint resolutions **does not** take into consideration the House deadline for passing Senate bills and joint resolutions. **Realistically**, to be eligible for consideration by the House under its end-of-session deadlines, Senate bills and joint resolutions must be passed by the Senate and received by the House **before** the 130th day. Accordingly, even though [Senate Rule 7.24\(b\)](#) indicates the 137th day is the last day for Senate committees to report all bills and joint resolutions, the practical deadline for Senate committees to report is before the 130th day.]*

**Thursday, May 25, 2023,**  
**before midnight**  
(136th day) Deadline for the House to distribute Senate amendments  
*[relates to [House Rule 13, Sec. 5\(a\)](#), requiring 24-hour layout of Senate amendments before consideration, and [House Rule 8, Sec. 13\(d\)](#), establishing the deadline for acting on Senate amendments]*

**Friday, May 26, 2023**  
(137th day) Last day for the House to act on Senate amendments (concur or request a conference committee)  
*[[House Rule 8, Sec. 13\(d\)](#)]*

**Before midnight:** deadline for the House to print and distribute House copies of a conference committee report on the general appropriations bill  
*[relates to [House Rule 13, Sec. 10\(a\)](#), requiring 48-hour layout of a conference committee report on the general appropriations bill before consideration during a regular session, and [House Rule 8, Sec. 13\(e\)](#), establishing the deadline for adoption of conference committee reports]*

**Before midnight:** deadline for the Senate to print and distribute Senate copies of conference committee reports on tax, general appropriations, and reapportionment bills  
*[relates to [Senate Rule 12.09\(a\)](#), requiring 48-hour layout of certain conference committee reports before consideration in regular session, and [Senate Rule 7.25](#), establishing the deadline for voting on a bill; [Senate Rule 10.01](#) subjects joint resolutions to the rules governing proceedings on bills]*

**Saturday, May 27, 2023,**  
**before midnight**  
(138th day) Deadline for the House to print and distribute House copies of all conference committee reports on joint resolutions and on bills other than the general appropriations bill  
*[relates to [House Rule 13, Sec. 10\(a\)](#), requiring 24-hour layout of certain conference committee reports, and [House Rule 8, Sec. 13\(e\)](#), establishing the deadline for adoption of conference committee reports]*

Deadline for the Senate to print and distribute Senate copies of all conference committee reports on joint resolutions and on bills other than tax, general appropriations, and reapportionment bills  
*[relates to [Senate Rule 12.09\(b\)](#), requiring 24-hour layout of certain conference committee reports before consideration during the last 72 hours of a regular session, and [Senate Rule 7.25](#), establishing the deadline for voting on a bill; [Senate Rule 10.01](#) subjects joint resolutions to the rules governing proceedings on bills]*

# DATES OF INTEREST | 88<sup>TH</sup> LEGISLATURE

**Sunday, May 28, 2023**  
(139th day) Last day for the House to adopt conference committee reports or discharge House conferees and concur in Senate amendments  
*[House Rule 8, Sec. 13(e)]*

Last day for the Senate to concur in House amendments or adopt conference committee reports  
*[relates to Senate Rule 7.25, prohibiting any vote on a bill during the last 24 hours of the session except to correct an error; Senate Rule 10.01 subjects joint resolutions to the rules governing proceedings on bills]*

**Monday, May 29, 2023**  
(140th day) Last day of 88th Regular Session (sine die); only corrections may be considered in the House and Senate  
*[Sec. 24(b), Article III, Texas Constitution; House Rule 8, Sec. 13(f); Senate Rule 7.25]*

## Regular Session Ends

**Sunday, June 18, 2023**  
(20th day following final adjournment of 88th Regular Session) Last day the governor can sign or veto bills passed during the regular session  
*[Sec. 14, Article IV, Texas Constitution]*

**Monday, August 28, 2023**  
(91st day following final adjournment of 88th Regular Session) Date that bills without specific effective dates, other than bills with immediate effect, become law  
*[Sec. 39, Article III, Texas Constitution]*

# Texas Legislature Online History

**Bill:** HB 4844

**Legislative Session:** 88(R)

**Council Document:** 88R 8300 MPF-F

**Last Action:** 05/19/2023 S Placed on intent calendar

**Caption Version:** Senate Committee Report

**Caption Text:** Relating to the use of a broker for the sale of real property by the Nueces County Hospital District.

**Author:** Herrero

**Sponsor:** Hinojosa

**Subjects:** NUECES COUNTY HOSPITAL DISTRICT (D0134)  
Special Districts & Authorities--Hospital (I0750)  
REAL ESTATE BROKERS (S0214)

**Companion:** SB 2056 by Hinojosa, Identical

**House Committee:** County Affairs

**Status:** Out of committee

**Vote:** Ayes=8 Nays=0 Present Not Voting=0 Absent=1

**Senate Committee:** Local Government

**Status:** Out of committee

**Vote:** Ayes=9 Nays=0 Present Not Voting=0 Absent=0

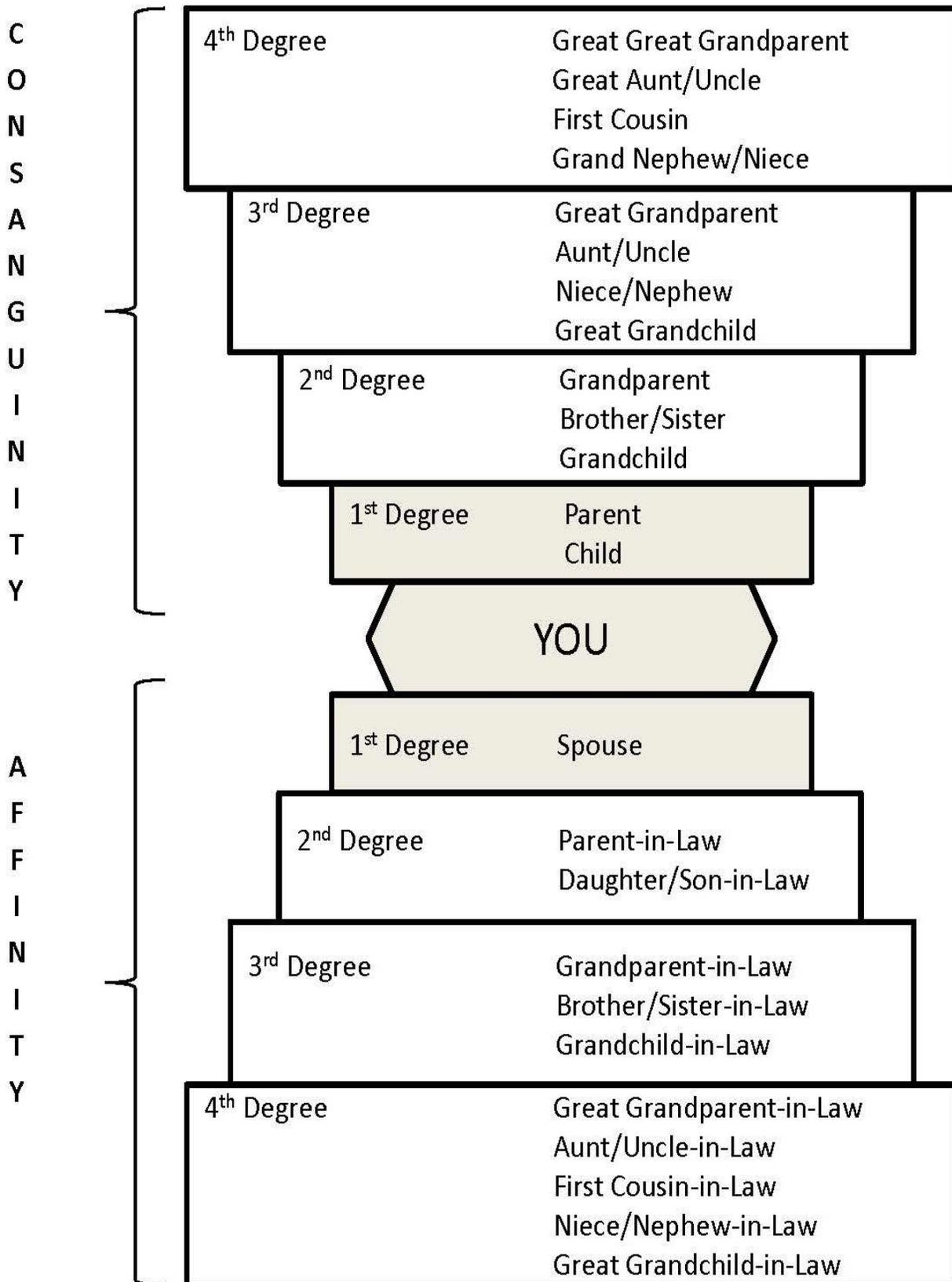
**Actions:** (descending date order)

Viewing Votes: Most Recent House Vote

	Description	Comment	Date ▼	Time	Journal Page
S	Placed on intent calendar		05/19/2023		
S	Committee report printed and distributed		05/17/2023	06:25 PM	
S	Recommended for local & uncontested calendar		05/17/2023		
S	Reported favorably w/o amendments		05/17/2023		2063
S	Vote taken in committee		05/16/2023		
S	Testimony taken in committee		05/16/2023		
S	Considered in public hearing		05/16/2023		
S	Scheduled for public hearing on . . .		05/16/2023		
S	Posting rule suspended		05/15/2023		1920
S	Referred to Local Government		05/01/2023		1440
S	Read first time		05/01/2023		1440
S	Received from the House		05/01/2023		1408
H	Reported engrossed		04/28/2023	03:03 PM	2501
H	Statement(s) of vote recorded in Journal		04/28/2023		2351
H	Record vote	RV#719	04/28/2023		2350
H	Passed		04/28/2023		2350
H	Read 3rd time		04/28/2023		2350
H	Passed to engrossment		04/27/2023		2259
H	Read 2nd time		04/27/2023		2259
H	Placed on General State Calendar		04/27/2023		
H	Considered in Calendars		04/25/2023		

H Committee report sent to Calendars	04/18/2023		
H Committee report distributed	04/17/2023	03:40 PM	
H Comte report filed with Committee Coordinator	04/17/2023		1617
H Reported favorably as substituted	04/12/2023		
H Committee substitute considered in committee	04/12/2023		
H Considered in public hearing	04/12/2023		
H Left pending in committee	04/05/2023		
H Testimony taken/registration(s) recorded in committee	04/05/2023		
H Committee substitute considered in committee	04/05/2023		
H Considered in public hearing	04/05/2023		
H Scheduled for public hearing on . . .	04/05/2023		
H Referred to County Affairs	03/23/2023	12:03 PM	858
H Read first time	03/23/2023		858
H Filed	03/10/2023		

# IMMEDIATE FAMILY MEMBERS



Note: Step relationships (step-brother, step-father, etc.) are considered to be the same as blood relationships.

1-1 By: Herrero (Senate Sponsor - Hinojosa) H.B. No. 4844  
 1-2 (In the Senate - Received from the House May 1, 2023;  
 1-3 May 1, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 17, 2023, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the use of a broker for the sale of real property by the  
 1-20 Nueces County Hospital District.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter C, Chapter 281, Health and Safety  
 1-23 Code, is amended by adding Section 281.061 to read as follows:

1-24 Sec. 281.061. NUECES COUNTY HOSPITAL DISTRICT; BROKER  
 1-25 AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this  
 1-26 section:

1-27 (1) "Broker" means a person licensed as a broker under  
 1-28 Chapter 1101, Occupations Code.

1-29 (2) "District" means the Nueces County Hospital  
 1-30 District.

1-31 (3) "Fair market value" means the price that a  
 1-32 property would bring in an arms-length transaction when offered for  
 1-33 sale by a person who wishes, but is not obliged, to sell the  
 1-34 property and when bought by a person who is under no necessity of  
 1-35 buying the property. The value shall be determined as if the  
 1-36 property were available for immediate possession and for use for  
 1-37 any reasonable purpose.

1-38 (b) Except as provided by Subsection (c), the Nueces County  
 1-39 Hospital District may contract with a broker to sell a tract of real  
 1-40 property that is owned by the district.

1-41 (c) The district may not contract with a broker who is  
 1-42 related within the third degree of consanguinity or affinity, as  
 1-43 determined under Chapter 573, Government Code, to:

1-44 (1) a member of the board of hospital managers of the  
 1-45 district; or

1-46 (2) a public official who serves on the Nueces County  
 1-47 Commissioners Court.

1-48 (d) The district may pay a fee if a broker produces a ready,  
 1-49 willing, and able buyer to purchase a tract of real property.

1-50 (e) If a contract made under Subsection (b) requires a  
 1-51 broker to list the tract of real property for sale for at least 30  
 1-52 days with a multiple-listing service used by other brokers in the  
 1-53 county in which the real property is located, the district, on or  
 1-54 after the 30th day after the date the property is listed, may sell  
 1-55 the tract of real property to a ready, willing, and able buyer who  
 1-56 is produced by any broker with whom the district may contract under  
 1-57 Subsection (c) using the multiple-listing service and who submits  
 1-58 the most advantageous offer.

1-59 (f) The district must post a notice of intent to sell the  
 1-60 real property in a newspaper of general circulation, not less than  
 1-61 once, at least 30 days before the date the district accepts an offer

2-1 produced by a broker.

2-2 (g) The district may sell a tract of real property under  
2-3 this section without complying with the requirements of Section  
2-4 272.001, Local Government Code.

2-5 (h) The district may not sell a tract of real property under  
2-6 this section for less than the fair market value of the tract of  
2-7 real property, as determined by an independent appraisal prepared  
2-8 by an appraiser certified under Chapter 1103, Occupations Code, and  
2-9 obtained by the district in accordance with Subsection (j).

2-10 (i) The district may not sell a tract of real property under  
2-11 this section to a buyer who:

2-12 (1) is related within the third degree of  
2-13 consanguinity or affinity, as determined under Chapter 573,  
2-14 Government Code, to:

2-15 (A) a member of the board of hospital managers of  
2-16 the district;

2-17 (B) a public official who serves on the Nueces  
2-18 County Commissioners Court; or

2-19 (C) the broker for the sale; or

2-20 (2) has a business or financial relationship with a  
2-21 member of the board of hospital managers of the district or a public  
2-22 official who serves on the Nueces County Commissioners Court that  
2-23 could reasonably be expected to materially and adversely affect the  
2-24 judgment of the member or public official.

2-25 (j) The district may not obtain an appraisal under  
2-26 Subsection (h) from an appraiser who is related within the third  
2-27 degree of consanguinity or affinity, as determined under Chapter  
2-28 573, Government Code, to:

2-29 (1) a member of the board of hospital managers of the  
2-30 district; or

2-31 (2) a public official who serves on the Nueces County  
2-32 Commissioners Court.

2-33 SECTION 2. This Act takes effect immediately if it receives  
2-34 a vote of two-thirds of all the members elected to each house, as  
2-35 provided by Section 39, Article III, Texas Constitution. If this  
2-36 Act does not receive the vote necessary for immediate effect, this  
2-37 Act takes effect September 1, 2023.

2-38 \* \* \* \* \*

## **BILL ANALYSIS**

Senate Research Center  
88R22438 MPF-F

H.B. 4844  
By: Herrero (Hinojosa)  
Local Government  
5/15/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, the Nueces County Hospital District must utilize a public bidding system to sell any property that it owns. This can lead to the property being on the market for extended periods of time if members of the local community are not interested in purchasing the property. This current process can be cumbersome as it requires hospital district staff to expend time learning and understanding the local real estate market and finding buyers who are willing to engage in the lengthy bid process.

What the Bill Accomplishes:

H.B. 4844 seeks to allow the Nueces County Hospital District to utilize a broker for the sale of real property, which would allow the property to be actively marketed to a wide array of potential buyers. This would give the hospital district two avenues to sell real property that it owns.

Dallas County Hospital District and El Paso County Hospital District are the only other hospital districts that have this authority. H.B. 4844 adds additional safeguards against self-dealing. Those parameters for the use of a broker to sell real property include:

- The district could not contract with a broker who is related within the third degree of consanguinity or affinity to a member of the board of hospital managers of the district or a public official who serves on the Nueces County Commissioners Court.
- The district could not sell a tract for less than the fair market value of the tract, as determined by an independent appraisal prepared by an appraiser and obtained by the district.
- The district could not obtain such an appraisal from an appraiser who is related within the third degree of consanguinity or affinity to a member of the board of hospital managers of the district or a public official who serves on the Nueces County Commissioners Court.
- The bill would prohibit the district from selling a property tract to a buyer who is related within the third degree of consanguinity or affinity to a member of the board of hospital managers of the district, a public official who serves on the Nueces County Commissioners Court, or the broker for the sale.

H.B. 4844 amends current law relating to the use of a broker for the sale of real property by the Nueces 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 281.061, as follows:

Sec. 281.061. NUECES COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) Defines "broker," "district," and "fair market value."

(b) Authorizes the Nueces County Hospital District (district), except as provided by Subsection (c), to contract with a broker to 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 or affinity, as determined under Chapter 573 (Degrees of Relationship; Nepotism Prohibitions), Government Code, to a member of the board of hospital managers of the district (board) or to a public official who serves on the Nueces County Commissioners Court (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, if a contract made under Subsection (b) requires a broker to list the tract of real property for sale for at least 30 days with a multiple-listing service used by other brokers in the county in which the real property is located, on or after the 30th day after the date the property is listed, to sell the tract of real property to a ready, willing, and able buyer who is produced by any broker with whom the district is authorized to contract under 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 30 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.

(h) Prohibits the district from selling a tract of real property under this section for less than the fair market value of the tract of real property, as determined by an independent appraisal prepared by an appraiser certified under Chapter 1103 (Real Estate Appraisers), Occupations Code, and obtained by the district in accordance with Subsection (j).

(i) Prohibits the district from selling a tract of real property under this section to a buyer who:

(1) is related within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code, to a member of the board, a public official who serves on the commissioners court, or the broker for the sale; or

(2) has a business or financial relationship with a member of the board or a public official who serves on the commissioners court that could reasonably be expected to materially and adversely affect the judgment of the member or public official.

(j) Prohibits the district from obtaining an appraisal under Subsection (h) from an appraiser who is related within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code, to a member of the board or to a public official who serves on the commissioners court.

SECTION 2. Effective date: upon passage or September 1, 2023.

## 88<sup>th</sup> Texas Legislative Session (Regular)

Monitoring the following Bills as of May 18, 2023 :

- House Bills:
  - HB 446 by Craddick, et al. - Relating to the terminology used in statute to refer to intellectual disability and certain references to abolished health and human services agencies. (Companion SB 332)
  - HB 492 by Craddick, et al. - Relating to the creation and operation of a mental health services district by the Midland County Hospital District of Midland County, Texas, and the Ector County Hospital District.
  - HB 1372 by Harris, et al. - Relating to the tort of public nuisance. (Companion SB 1034)
  - HB 1489 by Tepper, et al. - Relating to the issuance of certificates of obligation by local governments.
  - HB 3001 by Goldman - Relating to purposes for which certificates of obligation may be authorized.
  - HB 3002 by Goldman - Relating to the authority of certain political subdivisions to issue certificates of obligation.
  - HB 4172 by Price - Relating to the authority of the governing body of a hospital district to vote for candidates for director of the appraisal district in which the hospital district participates.
  
- Senate Bills:
  - SB 332 by Kolkhorst, et al. - Relating to the terminology used in statute to refer to intellectual disability and certain references to abolished health and human services agencies. (Companion HB 446)
  - SB 1034 by Middleton - Relating to the tort of public nuisance. (Companion HB 1372)
  - SB 2332 by Kolkhorst - Relating to the operations of hospital districts in counties with a population of at least 190,000 persons.
  - SB 2337 by Middleton - Relating to an election to approve the issuance of bonds or other debt.