A BILL TO BE ENTITLED
AN ACT
relating to mandatory sales price disclosure in certain real
property sales; providing a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Chapter 12, Property Code, is amended by adding
Section 12.0012 to read as follows:

Sec. 12.0012. MANDATORY SALES PRICE DISCLOSURE. (a) In
this section:

(1) "Commercial property" means real property that is
primarily used in the course of a business that provides items or
services for sale to the general public.

(2) "Multifamily residential property" means real
property that includes two or more residential units under single
ownership.

(3) "Vacant land" means unimproved real property.

(b) A person may not file for record or have recorded in the
county clerk's office an instrument conveying commercial property,
multifamily residential property, or vacant land under a contract
for sale unless the instrument discloses the sales price of the
property.

(c) The purchaser of any property for which an instrument is
recorded in violation of Subsection (b) is liable to the state for a
civil penalty for each violation in an amount equal to five percent
of the sales price of the property.
(d) The attorney general or the county or district attorney for the county in which the property is located may bring suit to recover a penalty under this section.

(e) This section does not apply to an instrument conveying only a mineral interest in real property.

SECTION 2. The changes in law made by this Act apply only to an instrument recorded on or after the effective date of this Act. An instrument recorded before the effective date of this Act is covered by the law in effect when the instrument was recorded, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.