

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3202
By: Bonnen (Jackson, Mike)
Criminal Justice
5/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 3202 relates to authorizing the transfer of certain real property held by the Texas Department of Criminal Justice.

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. AUTHORIZATION FOR TRANSFER. (a) Requires the Texas Department of Criminal Justice (TDCJ), not later than January 1, 2010, to transfer to Brazoria County the real property specified in Section 2 of this Act.

(b) Requires that consideration for the transfer authorized by Subsection (a) of this section be in the form of an agreement between the parties that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

(c) Provides that if Brazoria County fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

(d) Requires TDCJ to transfer the property to Brazoria County by an appropriate instrument of transfer. Requires that the instrument of transfer include:

(1) a provision that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state and indicates that ownership of the property automatically reverts to TDCJ if Brazoria County no longer uses the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and

(2) a provision that excludes from the transfer all mineral interests in and under the property and prohibits any exploration, drilling, or other similar intrusion on the property related to mineral interests.

SECTION 2. PROPERTY DESCRIPTION. Sets forth the description of TDCJ property to be transferred as provided by Section 1 of this Act.

SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Requires TDCJ, not later than October 31, 2010, to transfer to the City of Houston the real property specified in Section 4 of this Act, including any improvements affixed to the property.

(b) Requires that consideration for the transfer authorized by Subsection (a) of this section be in the form of an agreement between the parties that requires the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

(c) Provides that if the City of Houston fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

(d) Requires TDCJ to transfer the property to the City of Houston by an appropriate instrument of transfer. Requires that the instrument of transfer include:

(1) a provision that requires the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state and indicates that ownership of the property automatically reverts to TDCJ if the City of Houston no longer uses the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and

(2) a provision that excludes from the transfer all mineral interests in and under the property and prohibits any exploration, drilling, or other similar intrusion on the property related to mineral interests.

SECTION 4. PROPERTY DESCRIPTION. Sets forth the description of TDCJ property to be transferred as provided by Section 3 of this Act.

SECTION 5. EFFECTIVE DATE. Effective date: upon passage or September 1, 2009.