

# Authorizing transfer of certain real property held by Texas Department of Criminal Justice

HB 3202 by Bonnen (Jackson)

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**DIGEST:** HB 3202 would have specified about 332 acres of land near Angleton, Texas that the Texas Department of Criminal Justice (TDCJ) would have been required to transfer to Brazoria County by January 1, 2010. The bill also would have specified about 888 square feet of property and improvements in Houston that TDCJ would have been required to transfer to the City of Houston by October 31, 2010.

The agreements for these transfers would have had to contain provisions stipulating that the transferred land be used in a manner that primarily promoted a public purpose to benefit the public interest of Texas. Ownership of the land would have been required to revert to TDCJ if the land were not used in this manner for more than 180 continuous days. The transfer agreements also would have had to include a provision that excluded from the transfer all mineral interests in and under the properties and prohibited any exploration or drilling on the properties related to mineral interests.

## GOVERNOR'S REASON FOR VETO:

“House Bill No. 3202 directs the Texas Department of Criminal Justice (TDCJ) to transfer approximately 332 acres of land to Brazoria County and a fraction of an acre to the City of Houston.

“House Bill No. 3202 is different from comparable legislation that transfers TDCJ land because it does not require the payment of fair market value for the land, does not exchange land for other real property and does not involve land that a local government had donated to the state for construction of a prison. In fact, House Bill No. 3202 transfers land that has been held by the state since 1918 to a county without providing any compensation to the state for the loss of the land. Because the public expects the state to be a good steward of its resources, I am vetoing House Bill No. 3202.

“I encourage the county to work with TDCJ to accomplish this transfer through existing mechanisms that establish the fair market value of the land and allow state taxpayers to realize a benefit from the transfer of the land.”

**RESPONSE:** Neither **Rep. Dennis Bonnen**, the bill’s author, nor **Sen. Mike Jackson**, the Senate sponsor, had a comment on the veto.

**NOTES:** HB 3202 passed the House on the Local, Consent, and Resolutions Calendar and was not analyzed in a *Daily Floor Report*.