

BILL ANALYSIS

Senate Research Center

H.B. 2343
By: Kolkhorst (Ogden)
Criminal Justice
5/21/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Currently, the Texas Department of Criminal Justice (TDCJ) owns a specific tract of land in Walker County, Texas (the county). The county wishes to use this land to build a museum which memorializes veterans. In order to do this, the land must be transferred from TDCJ to the county. H.B. 2343 authorizes TDCJ to transfer this specific tract of land to Walker County.

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. (a) Authorizes the Texas Department of Criminal Justice (TDCJ) to donate and transfer to Walker County the real property described by Subsection (e) of this section, not later than January 31, 2004.

(b) Authorizes Walker County to use the property transferred under this Act only for a purpose that benefits the public interest of the state. Provides that if Walker County uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to TDCJ.

(c) Authorizes TDCJ to transfer the property by an appropriate instrument of transfer. Requires the instrument of transfer to:

(1) provide that:

- (A) Walker County may use the property only for a purpose that benefits the public interest of the state; and
- (B) ownership of the property will automatically revert to TDCJ if Walker County uses the property for any purpose other than a purpose that benefits the public interest of the state; and

(2) describe the property to be transferred by metes and bounds.

(d) Requires TDCJ to retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Walker County.

(e) Describes the real property referred to in this section.

SECTION 2. Effective date: September 1, 2003.

LIST OF COMMITTEE AMENDMENTS

Committee Amendment No. 1:

(1) In SECTION 1 of the bill, in proposed Subsection (b) (page 1, line 9) strike “may” and insert “shall”.

(2) In SECTION 1 of the bill, in proposed Subsection (b) (page 1, lines 10-11) strike “a purpose that benefits the public interest of the state” and insert “the construction and operation of a museum which memorializes veterans”.

(3) In SECTION 1 of the bill, in proposed Subsection (c)(1)(B) (page 1, lines 23-24) strike “a purpose that benefits the public interest of the state” and insert “the purpose specified in Subsection (b)”.