

## BILL ANALYSIS

Senate Research Center  
78R9974 MTB-F

C.S.S.B. 388  
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Government Organization  
3/28/2003  
Committee Report (Substituted)

### DIGEST AND PURPOSE

Currently, Texas state property believed by some to be worth more than \$154 million, amounting to more than 22,000 acres, is underused. The General Land Office appraises certain state agency properties, determines which are underused, and recommends sales in an annual report to the governor and legislature. However, the agencies may lack an incentive to actually sell the properties, because the agencies will not receive any financial benefit from the sale, which is directed elsewhere. C.S.S.B. 388 creates the Texas Real Property Interim Committee to investigate the number and function of state agency field offices and sell, close, or collocate state agency field offices, if appropriate. The bill also provides for allocation of the proceeds of the sale of such real property.

### 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 Title 10E, Government Code, by adding Chapter 2206, as follows:

#### CHAPTER 2206. USE AND MANAGEMENT OF STATE PROPERTY

Sec. 2206.001. DEFINITION. Defines "committee."

Sec. 2206.002. TEXAS REAL PROPERTY INTERIM COMMITTEE. (a) Provides that the Texas Real Property Interim Committee (committee) is created to perform certain acts.

(b) Provides that the committee is composed of certain persons.

(c) Authorizes the governor to reject the persons on a list submitted under Subsection (b) (3) and require a new list to be submitted.

(d) Authorizes the committee to request the assistance of the employees of the Legislative Budget Board (board) and the state auditor's office in carrying out the committee's duties.

(e) Requires the committee to meet at least quarterly at the call of the presiding officer.

Sec. 2206.003. POWERS AND DUTIES OF COMMITTEE. Authorizes the committee to require a state agency to perform certain acts.

Sec. 2206.004. PROCEEDS FROM SALE OF PROPERTY. Requires proceeds from the sale of real property sold under Section 2206.003, notwithstanding any other law, to be deposited in the fund from which the money used to buy the property was taken, if the fund is known and continues to exist. Requires the proceeds, in any other circumstances, to be deposited in the unobligated portion of the general revenue fund.

Sec. 2206.005. CAPITAL CHARGE. Authorizes the committee, in consultation with the board, to impose a capital charge, as defined by Section 31.1586, Natural Resources Code, on a state agency that is payable by a specified date if the committee determines that certain conditions exist.

Sec. 2206.006. EXPIRATION AND ABOLITION. Provides that this chapter expires and the committee is abolished on September 1, 2005.

SECTION 2. Amends Chapter 31E, Natural Resources Code, by adding Sections 31.1585 and 31.1586, as follows:

Sec. 31.1585. CERTAIN PROCEEDS. Requires proceeds from the sale of real property that was recommended for sale by the asset management division and not disapproved for sale by the governor during the calendar years 1995 through 2002, notwithstanding any other law, to be deposited in the unobligated portion of the general revenue fund and authorizes it to only be appropriated to the state agency that possessed the property at the time of the sale for use by the state agency in performing its duties.

Sec. 31.1586. DEFINITION. Defines “capital charge.”

SECTION 3. Effective date: upon passage or September 1, 2003.

#### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Differs from original proposed Section 2206.001 and 2206.002 by deleting the proposed text and adding a new Chapter 2206, Government Code.

SECTION 2. Differs from original by deleting effective date and adding Sections 31.1585 and 31.1586, Natural Resources Code.

SECTION 3. Differs from original by creating a new SECTION to establish the effective date.