

## **BILL ANALYSIS**

Senate Research Center  
81R12428 PMO-F

H.B. 2728  
By: Howard, Charlie (Hegar)  
Veteran Affairs & Military Installations  
5/11/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Since the legislature authorized the construction of four veterans' homes in 1997, seven homes have opened in Texas, in Temple, Floresville, Big Spring, Bonham, McAllen, El Paso, and Amarillo. In cooperation with the Department of Veterans' Affairs, these homes offer Texas veterans, their spouses, and Gold Star Parents skilled-care nursing facilities. H.B. 2728 would authorize an additional home to be built in Richmond.

H.B. 2728 requires the Department of Aging and Disability Services to transfer land in Fort Bend County to the Texas Veterans' Land Board (VLB) to be used for a purpose that benefits the public interest of the state. This bill authorizes VLB to develop the property, in cooperation with the federal government, into a state veterans' home for Texas veterans.

### **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) Requires the Department of Aging and Disability Services (DADS), not later than November 1, 2010, to transfer to the Veterans' Land Board (VLB) the real property described by Subsection (d) of this section, provided that VLB has determined that the property is suitable for its intended purpose.

(b) Provides that the consideration for the transfer authorized by Subsection (a) is the requirement that VLB use the property transferred only for a purpose that benefits the public interest of the state. Provides that if VLB no longer uses the property for a purpose that benefits the public interest of the state, ownership of the property automatically reverts to DADS.

(c) Requires DADS to transfer the property by an appropriate instrument of transfer, executed on its behalf by the Commissioner of the General Land Office (commissioner). Requires that the instrument of transfer include a provision that requires VLB to use the property for a purpose that benefits the public interest of the state, permits VLB to develop the property, on or before the 10th anniversary of the effective date of the transfer, in cooperation with the federal government as a state veterans' home for Texas veterans, and indicates that ownership of the property automatically reverts to DADS if VLB no longer uses the property for a purpose that benefits the public interest of the state; describe the property to be transferred by metes and bounds; and describe the easements referred to in Subsection (e) of this section.

(d) Provides the boundaries of the real property to which Subsection (a) of this section refers to.

(e) Requires that the transfer under this section include all mineral rights and interests in the real property described in Subsection (d) of this section, and the easements over, under, and on the land owned or controlled by DADS that is adjacent to the real property described in Subsection (d) of this section as the commissioner determines are reasonably necessary for the beneficial use of the real property described in Subsection (d) of this

section, provided the easements do not unreasonably interfere with the use of the adjacent property by DADS.

SECTION 2. Effective date: upon passage or September 1, 2009.