

BILL ANALYSIS

Senate Research Center
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H.B. 4541
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Criminal Justice
5/17/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Webb County entered into a five-year lease with the State of Texas for the use of the Texas Department of Public Safety (DPS) building located at 8400 N. IH-35 in August 2000, for a nominal fee of \$1 per year. At the expiration of the five-year lease, DPS moved into its new facility and Webb County continued to use the building to house a justice of the peace courtroom on a month-to-month tenancy. The Precinct 4 judge who operates out of the DPS building handles DPS enforcement cases. The court's jurisdiction covers IH-35, the World Trade Bridge, and the Columbia Bridge. Since moving into the building, Webb County has invested approximately \$400,000 in remodeling and updating the space. The transfer of this property for the continued use by Webb County is in the mutual interest of both the county and the state.

H.B. 4541 amends current law relating to the transfer of certain state property from the Texas Department of Public Safety to Webb 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) Requires the Texas Department of Public Safety (DPS) not later than May 1, 2010, to transfer to Webb County the real property described by Section 3 of this Act.

(b) Requires Webb County to use the property transferred under this Act only for a purpose that benefits the public interest of the state. Provides that if Webb 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 DPS.

(c) Requires DPS to transfer the property by an appropriate instrument of transfer. Requires the instrument of transfer to provide that Webb County use the property only for a purpose that benefits the public interest of the state and ownership of the property will automatically revert to DPS if Webb County uses the property for any purpose other than a purpose that benefits the public interest of the state; and describe the property to be transferred by metes and bounds.

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

(e) Requires Webb County to pay any transaction fees resulting from the transfer of property under this Act.

SECTION 2. Requires Webb County, before the transfer of the real property authorized by Section 1 of this Act, to obtain, at Webb County's expense, a survey of the metes and bounds description for the transfer instrument.

SECTION 3. Provides that the real property referred to in Section 1 of this Act is described as TRACT I and TRACT II. Provides the description of the real property.

SECTION 4. Effective date: upon passage or September 1, 2009.