

## **BILL ANALYSIS**

Senate Research Center  
82R14235 PMO-D

H.B. 2518  
By: Kolkhorst (Ogden)  
Government Organization  
5/5/2011  
Engrossed

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

The Texas Forest Service (TFS) and the Texas Department of Criminal Justice (TDCJ) entered into a lease agreement a number of years ago for a number of acres of land in the city of Huntsville to be used by the forest service as the location for a regional office. TFS and TDCJ agreed to lease payment conditions, but due to statutory changes requiring TDCJ to lease property for fair market value, a lease renewal would require a substantial increase in lease payments and make the lease financially unfeasible for TFS.

TDCJ has agreed to transfer the property to TFS for its continued use as the location for the regional TFS office. Transfer of property from TDCJ must be approved by the Texas Legislature. H.B. 2518 addresses this issue by establishing provisions relating to the transfer of certain state property from the Texas Board of Criminal Justice to the board of regents of The Texas A&M University System for the use and benefit of TFS.

H.B. 2518 amends current law relating to the transfer of certain state property from the Texas Board of Criminal Justice to the board of regents of The Texas A&M University System for the use and benefit of the Texas Forest Service.

### **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 Board of Criminal Justice (TBCJ), not later than January 1, 2012, to transfer to the board of regents of The Texas A&M University System board) the real property described by Subsection (e) of this section.

(b) Requires the board to use the property transferred under this Act only for the use and benefit of the Texas Forest Service (TFS). Provides that, if the board uses the property for any purpose other than for the use and benefit of TFS, ownership of the property automatically reverts to TBCJ.

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

(1) provide that the board use the property only for the use and benefit of TFS, and ownership of the property will automatically revert to TBCJ if the board uses the property for any purpose other than for the use and benefit of TFS; and

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

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

(e) Sets forth the initial boundaries of the real property referred to in this section.

SECTION 2. Effective date: upon passage or September 1, 2011.