

BILL ANALYSIS

Senate Research Center
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H.B. 282
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Veteran Affairs & Military Installations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Adjutant General's Department is not required to consider the housing needs of state military forces before eliminating or selling older, underutilized, or excess facility space. Interested parties argue that such a requirement could help resolve the difficulties experienced by state guard soldiers who cannot find housing and mitigate the economic impact on local communities of closing armories. H.B. 282 seeks to address this situation by providing for an analysis by the adjutant general of the facility needs of state military force before grants or conveyances of real property occur.

H.B. 282 amends current law relating to an analysis by the adjutant general of facility needs of state military forces before grants or conveyances of 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 Section 431.0301(c), Government Code, to authorize the adjutant general to hold, manage, or maintain the property after the analysis required under Section 431.0308, if applicable, lease or sell the property, and pledge all or part of the rents, issues, and profits of the property, rather than providing that the adjutant general may hold, manage, maintain, lease, or sell the property and may pledge all or part of the rents, issues, and profits of the property.

SECTION 2. Amends Section 431.0303(a), Government Code, to authorize the adjutant general to lease property to any person under terms the adjutant general determines, after the analysis required under Section 431.0308, if applicable,

SECTION 3. Amends Section 431.0305(a), Government Code, to authorize the adjutant general, when property that the adjutant general owns or that is transferred to the state under Section 431.0304 (Transfer to State) is fully paid for and free of liens, and all obligations incurred in connection with the acquisition and construction of the property have been fully paid, to, after conducting the analysis required under Section 431.0308, if applicable, properly dispose of the property if the property is designated by the adjutant general as surplus, and the disposal is in the best interests of the adjutant general and the state military forces and its components or successors.

SECTION 4. Amends Subchapter B, Chapter 431, Government Code, by adding Section 431.0308, as follows:

Sec. 431.0308. ANALYSIS OF FACILITY SPACE BEFORE REAL PROPERTY GRANT OR CONVEYANCE. Requires the adjutant general, before granting or conveying an interest in real property under this subchapter, to conduct an analysis evaluating whether each unit of the state military forces has adequate facility space to ensure that ongoing operations are maintained.

SECTION 5. Makes the application of this Act prospective.

SECTION 6. Effective date: September 1, 2011.