

BILL ANALYSIS

Senate Research Center

H.B. 3581
By: Hightower (Ogden)
Jurisprudence
5-9-97
Engrossed

DIGEST

The Waco, Beaumont, Trinity, and Sabine Railroad was founded in the early 1900's with the operational headquarters located in Trinity County. Around 1929, the railroad was put into receivership. Since that time, all assets except some easements have been sold and the funds deposited in a Trinity County bank. There are no known heirs of any owners of the railroad, nor are there any creditors. This bill will provide regulations regarding the termination of a railroad receivership.

PURPOSE

As proposed, H.B. 3581 provides regulations regarding the termination of a railroad receivership.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 64E, Civil Practice and Remedies Code, by adding Section 64.0271, as follows:

Sec. 64.0271. TERMINATION OF RAILROAD RECEIVERSHIP. Authorizes a receiver of a railroad company located wholly within this state that has been in receivership for more than 50 years to apply to the court that appointed the receiver to request the court to take certain actions. Requires the receiver, after a receiver makes an application under Subsection (a), to publish notice of the proposed termination of the receivership for seven consecutive days in a newspaper of general circulations in the county in which the receivership is located. Requires the notice to state that a person with an interest in the assets of the railroad company may file a claim with the court that appointed the receiver within a certain time period. Requires the court to disburse any remaining assets of the receivership to the nonprofit charitable organizations chosen by the receiver that are acceptable to the court in its discretion, after expiration of the period for filing claims provided by Subsection (b) and after the court resolves all claims filed with the court relating to the railroad company.

SECTION 2. Emergency clause.
Effective date: upon passage.