

BILL ANALYSIS

Senate Research Center
76R2172 PAM-D

H.B. 664
By: Chisum (Brown)
Natural Resources
4/27/1999
Engrossed

DIGEST

The U.S. Department of Energy (DOE) and the Governor of Texas entered into a cooperative agreement in 1987 in order to consolidate and dispose of radioactive tailings at a site in Falls City, Texas. The DOE was charged by Congress to remediate this site by the Uranium Mill Tailings Radiation Control Act of 1979, which required the federal government to pay 90 percent of remediation cost and the state 10 percent. The Texas Department of Health (department) was designated to oversee the project for the state. Currently, the department is in possession of remediated land that it has no authority to sell. H.B. 664 would allow the department to sell decontaminated land at a fair market value and require the General Land Office to negotiate and close the sale.

PURPOSE

As proposed, H.B. 664 authorizes the sale of certain land by the Texas Department of Health.

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 Section 401.267, Health and Safety Code, as follows:

Sec. 401.267. New heading: ACQUISITION AND SALE OF CERTAIN BY-PRODUCT MATERIALS AND SITES. Authorizes the Texas Department of Health (department) to sell land acquired land under this section at the land's fair market value after the department has taken corrective action to restore the land to a condition that does not compromise the public health or safety or the environment. Requires the General Land Office to negotiate and close a transaction, on behalf of the department using procedures under Section 31.158(c), Natural Resources Code. Requires proceeds from the transaction to be deposited in the Texas capital trust fund.

SECTION 2. Emergency clause.

Effective date: upon passage.