

BILL ANALYSIS

Senate Research Center
81R4023 PMO-F

H.B. 1023
By: Deshotel (Williams)
Health & Human Services
5/2/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, patients of the former Beaumont State Center can only receive health services related to mental health and mental retardation, even if they require more comprehensive care. This bill authorizes the Health and Human Services Commission, the Department of State Health Services, or the Department of Aging and Disability Services to transfer certain real property for non-monetary consideration to Spindletop Mental Health and Mental Retardation Services for use as a facility to provide community-based physical health, health-related, mental health, or mental retardation services as long as it is executed by the parties and recorded in the real property records of Jefferson County, Texas.

H.B. 1023 amends current law relating to the use of certain state property transferred from the state to Spindletop MHMR Services.

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 1, Chapter 1036 (H.B. 1759), Acts of the 80th Legislature, Regular Session, 2007, by amending Subsection (c) and adding Subsections (c-1) and (f-1), as follows:

(c) Requires that an agreement under this subsection that is amended or supplemented by addendum under Subsection (f-1) of this section to require Spindletop MHMR Services to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based physical health, health-related, mental health, or mental retardation services be executed by the parties and recorded in the real property records of Jefferson County, Texas.

(c-1) Creates this subsection from existing text of Subsection (c). Provides that if Spindletop MHMR Services fails to use the property in the manner, rather than in that manner, described by an agreement under Subsection (c) of this section or an amendment or addendum to an agreement under Subsection (f-1) of this section for more than 180 continuous days, ownership of the property automatically reverts to the entity that transferred the property to Spindletop MHMR Services.

(f-1) Authorizes the parties, after a transfer of real property under Subsection (a) of this section takes effect, to amend or supplement by addendum the agreement under Subsection (c) to require Spindletop MHMR Services to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based physical health, health-related, mental health, or mental retardation services.

SECTION 2. Effective date: upon passage or September 1, 2009.