

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1953
By: Jackson, Mike
Criminal Justice
4/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill will transfer ownership of approximately 332 acres of land from the Texas Department of Criminal Justice (TDCJ) to Brazoria County for the purpose of expanding the Brazoria County Airport. The tract of land is bounded to the west by the Brazoria County Airport property and to the east by State Highway 288.

C.S.S.B. 1953 amends current law relating to authorizing the transfer of certain real property held by TDCJ.

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. AUTHORIZATION FOR TRANSFER. (a) Requires the Texas Department of Criminal Justice (TDCJ), not later than January 1, 2010, to transfer to Brazoria County the real property specified in Section 2 of this Act.

(b) Requires that consideration for the transfer authorized by Subsection (a) of this section be in the form of an agreement between the parties that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

(c) Provides that if Brazoria County fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

(d) Requires TDCJ to transfer the property to Brazoria County by an appropriate instrument of transfer. Requires that the instrument of transfer include a provision that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and indicates that ownership of the property automatically reverts to TDCJ if Brazoria County no longer uses the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

SECTION 2. PROPERTY DESCRIPTION. Provides that TDCJ property to be transferred as provided by Section 1 of this Act consists of approximately 332 acres, more or less, being part of that 7,424.4 tract or parcel of land conveyed to the Prison Commission of the State of Texas as recorded in Book 145, Page 242 of the Deed Records Brazoria County, Texas, said 332 acres, more or less, being out of the Jared E. Groce grant in Brazoria County, Texas, near Angleton, Texas, bounded by the Brazoria County Airport property to the West and State Highway 288 to the East, the northern boundary being the northern boundary of the said 7,424.4 tract or parcel of land, the southern boundary being the northern boundary of a tract or parcel of land conveyed to RH Retrieve, Ltd. as recorded as Document #2007018866 in the Official Public Records of Brazoria County, Texas.

SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Requires TDCJ, not later than October 31, 2010, to transfer to the City of Houston the real property specified in Section 4 of this Act, including any improvements affixed to the property.

(b) Requires consideration for the transfer authorized by Subsection (a) of this section to be in the form of an agreement between the parties that requires the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

(c) Provides that if the City of Houston fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

(d) Requires TDCJ to transfer the property to the City of Houston by an appropriate instrument of transfer. Requires that the instrument of transfer include certain provisions.

SECTION 4. PROPERTY DESCRIPTION. Sets forth the description of the TDCJ property to be transferred as provided by Section 3 of this Act.

SECTION 5. Effective date: September 1, 2009.