

BILL ANALYSIS

Senate Research Center
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S.B. 822
By: Estes et al.
Natural Resources & Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Lions Municipal Golf Course is located in West Austin on land given to The University of Texas in 1910 by then-Regent Colonel George Washington Brackenridge. The course was constructed by the Lions Club and opened to the public in 1924. In 1951, it became the first desegregated golf course in the southern United States when it officially adopted a policy that anyone was free to play there. That historic status was recognized in 2016 by the United States Department of the Interior and National Park Service with its addition to the National Register of Historic Places. That rich history and the course's nearly 100 years of continuous operation as a public golf course is in jeopardy as the university's lease to the City of Austin is set to expire in 2019.

S.B. 822 directs The University of Texas at Austin to transfer the 141-acre tract upon which Lions Municipal Golf Course sits to the Texas Parks and Wildlife Department (TPWD) by December 31, 2017. TPWD would be required to honor the existing lease to the City of Austin. It would also require TPWD to continue to operate it as a public golf course or ownership would revert to The University of Texas at Austin.

As proposed, S.B. 822 amends current law relating to the transfer of certain property from The University of Texas System to the Parks and Wildlife Department.

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. (a) Requires the board of regents of The University of Texas System, not later than December 31, 2017, to transfer to the Parks and Wildlife Department (TPWD) the real property described by Section 2 of this Act.

(b) Provides that the consideration for the transfer authorized by Subsection (a) of this section is the requirement that TPWD use the property transferred only for a public golf course, a purpose that benefits the public interest of the state. Provides that if TPWD no longer uses the property for a public golf course, ownership of the property automatically reverts to The University of Texas System.

(c) Requires the board of regents of The University of Texas System to transfer the property by an appropriate instrument of transfer that:

(1) includes a provision that requires TPWD to use the property for a public golf course, a purpose that benefits the public interest of the state and indicates that ownership of the property automatically reverts to The University of Texas System if TPWD no longer uses the property for a public golf course; and

(2) describes the property to be transferred by metes and bounds.

(d) Provides that all contracts, leases, and other obligations governing the real property described by Section 2 of this Act in effect on the effective date of this Act are transferred to TPWD.

(e) Provides that Sections 31.158 (Real Estate Transactions Authorized by Legislature) and 31.159 (First Option to Purchase), Natural Resources Code, do not apply to the transfer of real property authorized by this Act.

SECTION 2. Sets forth the boundaries of the real property referred to in Section 1 of this Act.

SECTION 3. Effective date: upon passage or September 1, 2017.