

BILL ANALYSIS

Senate Research Center
87R23286 NC-F

H.B. 4664
By: Bailes (Nichols)
Local Government
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Trinity River Authority of Texas (authority) desires to acquire additional submerged land owned by the State of Texas downstream of the Lake Livingston Dam so that it may manage its use for public safety purposes. In addition, the acquisition will enable the authority to address homeland security concerns associated with public access to areas close to the dam. Pursuant to its enabling legislation, the authority has the ability to regulate activities on or over submerged land it owns. Transfer of the ownership of the submerged land will enable the Trinity River Authority of Texas to use existing regulatory authority to regulate use.

H.B. 4664 amends current law relating to authorizing the sale of certain real property by the State of Texas to the Trinity River Authority of Texas.

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) Provides that, subject to Subsections (b), (c), (d), and (e) of this section and not later than December 31, 2021, the State of Texas is required to offer to convey the real property described by Section 2 of this Act to the Trinity River Authority of Texas (TRA).

(b) Prohibits the real property described by Section 2 of this Act from being conveyed by the State of Texas to TRA for an amount less than the fair market value of the real property. Requires that the fair market value of the real property be established by an independent appraisal obtained by the asset management division of the General Land Office.

(c) Requires that the proceeds from the sale of real property authorized by this Act be deposited to the credit of the permanent school fund.

(d) Requires that the conveyance of the real property described by Section 2 of this Act:

(1) be made subject to all valid covenants, conditions, reservations, restrictions, rights-of-way, easements, and leases, if any, that are recorded or apparent by visual inspection; and

(2) reserve to the State of Texas, for the use and benefit of the permanent school fund, all right, title, and interest in all oil, gas, and other minerals in and under the real property described by Section 2 of this Act.

(e) Provides that Sections 31.1571 (Governor's Report), 31.158 (Real Estate Transactions Authorized by Legislature), and 31.159 (First Option to Purchase), Natural Resources Code, do not apply to the sale of real property authorized by this Act.

SECTION 2. Sets forth the boundaries of the real property to be conveyed.

SECTION 3. Effective date: upon passage or September 1, 2021.