

1-1 By: Tepper (Senate Sponsor - Perry) H.B. No. 4415
 1-2 (In the Senate - Received from the House May 10, 2023;
 1-3 May 11, 2023, read first time and referred to Committee on Health &
 1-4 Human Services; May 19, 2023, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the transfer of certain real property from the Health
 1-20 and Human Services Commission to the StarCare Specialty Health
 1-21 System.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. (a) Not later than November 30, 2023, the Health
 1-24 and Human Services Commission shall transfer the real property
 1-25 described by Section 2 of this Act to Lubbock Regional MHMR Center
 1-26 d/b/a StarCare Specialty Health System, including the improvements
 1-27 affixed to the property and excluding the mineral interests in and
 1-28 under the property.

1-29 (b) Consideration for the transfer authorized by Subsection
 1-30 (a) of this section is the requirement that StarCare Specialty
 1-31 Health System use the transferred property only to provide
 1-32 community-based mental health, physical health, health-related, or
 1-33 intellectual and developmental disability services, a purpose that
 1-34 benefits the public interest of the state.

1-35 (c) If StarCare Specialty Health System fails to use the
 1-36 property in the manner described by Subsection (b) of this section
 1-37 for more than 180 continuous days after the transfer for reasons
 1-38 other than periods of renovation, construction, or other
 1-39 improvements, or due to an emergency or natural disaster, ownership
 1-40 of the property automatically reverts to the Health and Human
 1-41 Services Commission.

1-42 (d) The Health and Human Services Commission shall transfer
 1-43 the property by an appropriate instrument of transfer that:

1-44 (1) includes a provision that:

1-45 (A) requires StarCare Specialty Health System to
 1-46 use the property to provide community-based mental health, physical
 1-47 health, health-related, or intellectual and developmental
 1-48 disability services, a purpose that benefits the public interest of
 1-49 the state; and

1-50 (B) indicates that ownership of the property
 1-51 automatically reverts to the Health and Human Services Commission
 1-52 if StarCare Specialty Health System fails to use the property for
 1-53 that public purpose as described by Subsection (c) of this section;
 1-54 and

1-55 (2) describes the property to be transferred by metes
 1-56 and bounds.

1-57 (e) The Health and Human Services Commission may execute an
 1-58 appropriate instrument to release and nullify the right of reverter
 1-59 described by Subsection (c) of this section if mutually agreed to by
 1-60 the parties, but only if the Health and Human Services Commission
 1-61 makes a finding that consideration received through the use of the

2-1 property as described by Subsection (b) of this section has
2-2 sufficient cumulative value to equal or exceed the fair market
2-3 value of the property at the time of the transfer.

2-4 (f) Sections 533.084 and 533.087, Health and Safety Code,
2-5 and Sections 31.1571, 31.158, and 31.159, Natural Resources Code,
2-6 do not apply to the transfer of real property authorized by
2-7 Subsection (a) of this section.

2-8 SECTION 2. The real property to which Section 1 of this Act
2-9 applies is described as follows:

2-10 The real property title to which is held by the Health and
2-11 Human Services Commission consisting of the complex site of the
2-12 Lubbock Psychiatric Hospital, doing business as Sunrise Canyon
2-13 Hospital, situated primarily at 1950 Aspen Avenue, Lubbock, Lubbock
2-14 County, Texas, constituting 8 acres of land and more particularly
2-15 described as Tract A - MHR Addition in a deed to the state recorded
2-16 at Volume 4359, page 48 of the Deed Records of Lubbock County.

2-17 SECTION 3. This Act takes effect September 1, 2023.

2-18

* * * * *