

BILL ANALYSIS

Senate Research Center
78R8954 QS-D

H.B. 2128
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

As part of Childress County's economic development plan, the county purchased a building from the Texas Department of Transportation for the purpose of renovating it for the Texas Department of Public Safety (DPS). DPS then moved out of their old building and wanted to transfer their old building to the county. DPS has found that Childress County would be better served to use the aforementioned property and associated structures in such a way that it would benefit the public. However, legislation is needed to allow DPS to transfer this property to Childress County. H.B. 2128 gives DPS the authority to transfer certain real property located on U.S. Highway 287 East, Childress County, Texas, from DPS to Childress County.

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) Authorizes the Texas Department of Public Safety (DPS), by January 31, 2004, to donate and transfer to Childress County the real property described by Subsection (e) of this section.

(b) Authorizes Childress County to use the property transferred under this Act only for a purpose that benefits the public interest of the state. Provides that if Childress County uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to DPS.

(c) Authorizes DPS to transfer the property by an appropriate instrument of transfer. Requires the instrument of transfer to provide that Childress County may use the property only for a purpose that benefits the public interest of the state and ownership of the property will automatically revert to DPS if Childress County uses the property for any purpose other than a purpose that benefits the public interest of the state; and to describe the property to be transferred by metes and bounds.

(d) Requires DPS to retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Childress County.

(e) Sets forth the location of the real property.

(f) Authorizes DPS, notwithstanding the transfer of property under this Act, to access, use, and maintain the radio tower and associated transmitter, generator, and equipment building located on the real property described by Subsection (e) of this section.

(g) Requires Childress County to pay any transaction fees resulting from the transfer of property under this Act.

SECTION 2. Effective date: September 1, 2003.