

BILL ANALYSIS

S.B. 982
By: Whitmire
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Prior to 1999, the Department of Public Safety of Texas (DPS) owned a tract of land in Houston, Texas that includes a communication tower. DPS permitted the City of Houston (the City) to install radio antennae and communication equipment on the tower. In 1999, DPS conveyed the property on which the tower is located to the Texas Department of Criminal Justice (TDCJ), which has no need for the communications tower but needs the rest of the property for its use. No state equipment is currently located on the tower, and the City has no place to put the equipment without purchasing new land and constructing a new tower. TDCJ is willing to convey the tower site to the City so that the City can keep its communications equipment for that quadrant in place, and the state agencies are willing to grant the City access and utility easements across state property adjacent to the tower. The purpose of Senate Bill 982 is to authorize DPS and TDCJ to grant the necessary easements and fee title to the tower site to the City.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

Senate Bill 982 requires the Texas Department of Criminal Justice (TDCJ) and the Department of Public Safety (DPS) to transfer to the City of Houston (the City), for consideration to which the parties mutually agree, their respective interests in certain real property located on Northwest Freeway (U.S. Highway 290) in Houston, Texas, as specifically described in the bill, including any improvements affixed to the property. The bill also grants necessary easements. The transfer of the tract of land and granting of easements must take place before November 1, 2003. The consideration is authorized to be in the form of an agreement between the parties that requires the City to use the property for a purpose that benefits the public interest of the state. If the consideration for the transfer is in the form of such an agreement:

- the City of Houston may use the property only for a purpose that benefits the public interest of the state; and
- ownership of the property automatically reverts to TDCJ and the easements granted automatically terminate if the City no longer uses the property for such purposes.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

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