

1-1 By: Chisum (Senate Sponsor - Duncan) H.B. No. 2128
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2003, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the transfer of certain state property from the
1-9 Department of Public Safety of the State of Texas to Childress
1-10 County.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. (a) Not later than January 31, 2004, the
1-13 Department of Public Safety of the State of Texas may donate and
1-14 transfer to Childress County the real property described by
1-15 Subsection (e) of this section.

1-16 (b) Childress County may use the property transferred under
1-17 this Act only for a purpose that benefits the public interest of the
1-18 state. If Childress County uses the property for any purpose other
1-19 than a purpose that benefits the public interest of the state,
1-20 ownership of the property automatically reverts to the Department
1-21 of Public Safety of the State of Texas.

1-22 (c) The Department of Public Safety of the State of Texas
1-23 may transfer the property by an appropriate instrument of transfer.
1-24 The instrument of transfer must:

1-25 (1) provide that:

1-26 (A) Childress County may use the property only
1-27 for a purpose that benefits the public interest of the state; and

1-28 (B) ownership of the property will automatically
1-29 revert to the Department of Public Safety of the State of Texas if
1-30 Childress County uses the property for any purpose other than a
1-31 purpose that benefits the public interest of the state; and

1-32 (2) describe the property to be transferred by metes
1-33 and bounds.

1-34 (d) The Department of Public Safety of the State of Texas
1-35 shall retain custody of the instrument of transfer after the
1-36 instrument of transfer is filed in the real property records of
1-37 Childress County.

1-38 (e) The real property referred to in this section is located
1-39 on U.S. Highway 287 East, Childress County, Texas, and is described
1-40 as follows:

1-41 All of Block Number Four (4), of the East View Addition to the
1-42 City of Childress, Texas, according to the recorded map and plat of
1-43 said addition of record in the Plat Records of Childress County,
1-44 Texas.

1-45 (f) Notwithstanding the transfer of property under this
1-46 Act, the Department of Public Safety of the State of Texas may
1-47 access, use, and maintain the radio tower and associated
1-48 transmitter, generator, and equipment building located on the real
1-49 property described by Subsection (e) of this section.

1-50 (g) Childress County shall pay any transaction fees
1-51 resulting from the transfer of property under this Act.

1-52 SECTION 2. This Act takes effect September 1, 2003.

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