

BILL ANALYSIS

C.S.H.B. 3333
By: Chavez
Border and International Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Previously, the Department of Transportation operated a highway maintenance facility on a portion of the Ysleta land grant in El Paso County. For many historical and religious reasons, the land on which the facility is located is of extreme importance to the Ysleta del Sur Pueblo. The Pueblo has offered to purchase the property at its appraised value, but the Department of Transportation is hesitant to sell the land to the tribe because of possible statutory restrictions on the sale or transfer of real property.

The committee substitute to House Bill 3333 permits the Department of Transportation to sell or transfer real property to a federally recognized Indian tribe whose reservation is located on the Texas-Mexico border.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1 Amends Section 202.021, Transportation Code, by adding a federally recognized Indian tribe whose reservation is located on the Texas-Mexico border as an entity to whom real property shall be transferred or sold upon the Transportation Commission's recommendation to the governor that an interest in the real property be transferred or sold.

Also places a federally recognized Indian tribe whose reservation is located on the Texas-Mexico border as third in the order of priority to whom highway right-of-way shall be transferred or sold.

SECTION 2 The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.

EFFECTIVE DATE

The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute is a Legislative Council draft of the introduced version of the bill. The description of the location of a federally recognized Indian tribe is changed from "along" to "located on" the Texas-Mexico border.