

BILL ANALYSIS

C.S.H.B. 387
By: Callegari
Government Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 1985 the Legislature created the Texas National Research Laboratory Commission (TNRLC) to prepare proposals for the U.S. Department of Energy (DOE) for the placement of the proposed Superconducting Super Collider Accelerator project in Texas. When the U.S. DOE selected Texas as the site of the super collider, the Commission's authority was expanded to include the financing, development, and operation of the research facility. The TNRLC was granted the power of eminent domain, as was the University of Texas System's Board of Regents, in order to acquire property for the super collider facility.

Years after the U.S. DOE selected Texas as the site of the super collider, the U.S. Congress voted to terminate funding for the project. In light of congressional discontinuation of the project, the Legislature directed the TNRLC to dispose of state-owned assets and to return bonds to the state. In 1997 the Legislature transferred the remaining functions of the TNRLC to the General Land Office. The TNRLC ceased its operations in the late 1990's. Despite the termination and transfer of the agency's functions, the chapter of law establishing the Texas National Research Laboratory Commission remains.

This bill repeals the laws creating the Texas National Research Laboratory Commission and its power of eminent domain. This bill also repeals the law authorizing the University of Texas System's Board of Regents to condemn land for the super collider research site. However, this bill does not affect the Board of Regent's power to condemn property for other purposes necessary for the university system.

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

The bill amends the Government, Education, and Tax Code by abolishing the Texas National Research Laboratory Commission, striking reference to the Texas National Research Laboratory Commission, as well as abolishing the tax exemptions related to the Commission.

The bill further amends the Education Code to update statutory citations regarding the University of Texas System's Board of Regents power of eminent domain to conform to existing law as prescribed in Chapter 21 of the Property Code and, strikes language that authorizes the Board of Regents to condemn land for the Superconducting Super Collider Accelerator project.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original as a result of amending the Education Code by striking language that authorizes the of The University of Texas System's Board of Regents to condemn land for the Superconducting Super Collider Accelerator project and conforming its powers of eminent domain to existing law as prescribed in Chapter 21 of the Property Code.