

AN ACT

relating to the authority of the General Land Office to accept grants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 31.065, Natural Resources Code, is amended to read as follows:

Sec. 31.065. AUTHORITY TO ACCEPT GRANTS, GIFTS, DEVISES, TRUSTS, AND BEQUESTS. (a) In the absence of any law to the contrary, the commissioner may, if he determines it to be in the best interest of the state, accept grants, gifts, devises, or bequests, either absolutely or in trust, of money or real or personal property on behalf of the state. Real property so acquired by the state becomes public free school land unless the person making the grant, gift, devise, or bequest provides that the real property is to be possessed, administered, or used by a particular state agency, board, commission, department, or other particular state entity.

(b) Under Subsection (a) of this section, the commissioner may accept a grant, gift, devise, or bequest even if it is encumbered, restricted, or subject to a beneficial interest of private persons or corporations as long as any current or future use or interest in the grant, gift, devise, or bequest is for the benefit of the state.

(c) If the commissioner determines that the real property acquired by the state by grant, gift, devise, or bequest is not

1   suitable for the purpose for which the grant, gift, devise, or  
2   bequest was originally made, the commissioner together with the  
3   agency, board, commission, department, or other state entity  
4   designated to possess, administer, or use the real property may  
5   exchange the real property for real property that is suitable for  
6   such purpose.

7           SECTION 2. This Act takes effect immediately if it receives  
8   a vote of two-thirds of all the members elected to each house, as  
9   provided by Section 39, Article III, Texas Constitution. If this  
10   Act does not receive the vote necessary for immediate effect, this  
11   Act takes effect September 1, 2007.

H.B. No. 1138

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1138 was passed by the House on March 15, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1138 was passed by the Senate on May 17, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor