

By: Swinford

H.B. No. 3169

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the transfer of certain state property from the Texas
3 Health and Human Services Commission, on behalf of the Department
4 of State Health Services or the Department of Aging and Disability
5 Services, as appropriate, to Texas Panhandle Mental Health Mental
6 Retardation.

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

8 SECTION 1. (a) Not later than May 31, 2008, the Texas
9 Health and Human Services Commission may transfer, on behalf of the
10 Department of State Health Services or the Department of Aging and
11 Disability Services, as appropriate, to Texas Panhandle Mental
12 Health Mental Retardation all or part of the real property,
13 including the improvements affixed to the property and excluding
14 the mineral interest in and under the property, described by
15 Subsection (f) of this section.

16 (b) Consideration for the transfer authorized by Subsection
17 (a) of this section shall be in the form of an agreement between the
18 parties that requires Texas Panhandle Mental Health Mental
19 Retardation to use the property in a manner that primarily promotes
20 a public purpose of the state by using the property to provide
21 community-based mental health and mental retardation services. If
22 Texas Panhandle Mental Health Mental Retardation fails to use the
23 property in that manner for more than 180 continuous
24 days, ownership of the property automatically reverts to the

1 Department of State Health Services or the Department of Aging and
2 Disability Services, as appropriate.

3 (c) The Texas Health and Human Services Commission, on
4 behalf of the Department of State Health Services or the Department
5 of Aging and Disability Services, as appropriate, shall transfer
6 the property by deed without warranties regarding covenants of
7 title. The instrument of transfer must include a provision that:

8 (1) requires Texas Panhandle Mental Health Mental
9 Retardation to use the property in a manner that primarily promotes
10 a public purpose of the state by using the property to provide
11 community-based mental health and mental retardation services; and

12 (2) indicates that ownership of the property
13 automatically reverts to the Department of State Health Services or
14 the Department of Aging and Disability Services, as appropriate, if
15 Texas Panhandle Mental Health Mental Retardation fails to use the
16 property in that manner for more than 180 continuous days.

17 (d) The state reserves:

18 (1) its interest in all oil, gas, and other minerals in
19 and under the real property described by Subsection (f) of this
20 section;

21 (2) its right to remove from the real property
22 described by Subsection (f) of this section any oil, gas, and other
23 minerals in and under the real property; and

24 (3) its right to grant leases held by the state before
25 a conveyance of real property described by Subsection (f) of this
26 section relating to the removal of oil, gas, and other minerals in
27 and under the real property.

1 (e) Sections 533.084 and 533.087, Health and Safety Code,
2 and Sections 31.1571 and 31.158, Natural Resources Code, do not
3 apply to a transfer of real property authorized by this Act.

4 (f) The real property to which Subsection (a) of this
5 section refers is described as follows:

6 The former site of the Amarillo State Center situated at 901
7 Wallace Street, Amarillo, Texas, and comprised of three contiguous
8 parcels, collectively constituting =/- 12.1665 acres of land as set
9 forth below:

10 (1) A tract of land known as Tract 1 in Block 4 of the
11 plat of Amarillo Medical Center, an addition to the City of
12 Amarillo, Potter County, Texas, containing =/- 10.10 acres of land
13 and further described in a deed to the state recorded at Volume
14 1037, Page 569, of the Deed Records of Potter County.

15 (2) A tract of land being a portion of Lot 3, Block 4,
16 Amarillo Medical Center, an addition to the City of Amarillo,
17 Potter County, Texas, containing =/- 1.4441 acres of land and
18 further described in a deed to the state recorded at Volume 2370,
19 Page 55, of the Deed Records of Potter County.

20 (3) A tract of land out of Lot 3, Block 4 of Amarillo
21 Medical Center, an addition to the City of Amarillo, Potter County,
22 Texas, containing =/- 0.6224 acres of land and further described in
23 a deed to the state recorded at Volume 2370, Page 59, of the Deed
24 Records of Potter County.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.