

## **BILL ANALYSIS**

H.B. 867  
By: Aycock  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Several years ago, the City of Burnet purchased and donated land for the Ellen Halbert Unit of the Texas Department of Criminal Justice (TDCJ), located immediately adjacent to the Burnet Municipal Airport on the west side. Since that time, private development on the southwest side of the airport, which will require access to the west of the runway, has been submitted for consideration. However, there is not enough room on that side of the property for any development without the addition of a small portion of the TDCJ land which will effectively connect the private development and the property owned by the city on the northwest side of the airport. The City of Burnet needs a small portion of this land back from TDCJ, and it is the committee's understanding that this is agreeable to TDCJ.

H.B. 867 requires TDCJ to transfer to the City of Burnet certain real property to use for a purpose that benefits the public interest of Texas.

### **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**

H.B. 867 requires the Texas Department of Criminal Justice (TDCJ), not later than September 30, 2009, to transfer to the City of Burnet real property described in this bill. The bill requires the City of Burnet to use the property only for a purpose that benefits the public interest of Texas and provides that if the City of Burnet no longer uses the property for a purpose that benefits the public interest of Texas, ownership of the property automatically reverts to TDCJ. The bill requires TDCJ to transfer the property by an appropriate instrument of transfer which must provide that the City of Burnet use the property only for a purpose that benefits the public interest of Texas and that ownership of the property automatically reverts to TDCJ if the City of Burnet no longer uses the property for such a purpose. The bill requires the instrument of transfer to describe the property to be transferred by metes and bounds, requires TDCJ to retain custody of the instrument of transfer after it is filed in the real property records of Burnet County, and requires the City of Burnet to pay any transaction fees resulting from the transfer of property under the provisions of the bill. The bill sets forth the metes and bounds of the real property to be transferred.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.