

## **BILL ANALYSIS**

S.B. 1652  
By: Duncan  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 1992, Mitchell County transferred five tracts of property totaling almost 800 acres to the Texas Department of Criminal Justice (TDCJ). Of that property, tract 1, totaling approximately 222 acres, is used for agricultural production, and tract 2, totaling approximately 513 acres, encompasses the Wallace Unit.

S.B. 1652 authorizes the TDCJ to transfer the property in tract 1 back to Mitchell County and requires the land to be used in a way that benefits the public interest of Texas, or the property automatically reverts to TDCJ. The bill requires any transaction fees resulting from the transfer to be paid by Mitchell County.

### **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**

S.B. 1652 requires the Texas Department of Criminal Justice (TDCJ) to transfer certain property to Mitchell County not later than the 30th day after the effective date of the bill.

S.B. 1652 requires Mitchell County to use the transferred property only for a purpose that benefits the public interest of Texas and specifies that if the county uses the property for any other purpose ownership of the property automatically reverts to the department.

S.B. 1652 requires TDCJ to transfer the property by an appropriate instrument of transfer that must provide that the county use the property only for a purpose that benefits the public interest of Texas and that ownership of the property will automatically revert to TDCJ if the county uses the property for any other purpose and must describe the property to be transferred by metes and bounds. The bill requires TDCJ to retain custody of the instrument of transfer after the instrument is filed in the real property records of the county and requires the county to pay any transaction fees resulting from a property transfer.

### **EFFECTIVE DATE**

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