

BILL ANALYSIS

C.S.S.B. 1953
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Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are approximately 332 acres of land currently owned by the Texas Department of Criminal Justice (TDCJ) in Brazoria County, near the Brazoria County Airport, that the county needs as a result of the development of the area. The land in question is needed by Brazoria County for a number of reasons. First, a preliminary analysis has shown that a large and shallow detention pond is needed for anticipated growth on the existing airport property in order to ensure that the area drains properly. Second, this property is needed to enable the airport to grow and serve the aviation needs of South Brazoria County including Lake Jackson, Angleton, and the coastal area and associated industries. Industry already uses the airport and continued development of the industrial base along with additions of new industry will require more area to handle the related aviation needs of these businesses. Finally, this parcel of land will serve to connect the airport to a newly developed commercial and residential area to the south. This transfer will allow the airport to enhance its very basic water and sewer services for the airport and its tenants by facilitating a connection to City of Lake Jackson water and sewer infrastructure. In addition, the bill provides for the transfer of 888 square feet to the City of Houston. This land is next to land owned by the City of Houston and will be used to improve their 911 emergency services.

C.S.S.B. 1953 requires TDCJ to transfer approximately 332 acres to Brazoria County and 888 square feet to the City of Houston. The tracts must be used by the new owners in a manner that primarily promotes a public purpose that benefits the public interest of the state.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to any state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1953 requires the Texas Department of Criminal Justice (TDCJ) to transfer to Brazoria County certain real property specified in the bill not later than January 1, 2010. The bill requires consideration for the transfer to be in the form of an agreement between the parties that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state. The bill specifies that if Brazoria County fails to use the property in the manner described by the agreement for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

C.S.S.B. 1953 requires TDCJ to transfer the specified property to Brazoria County by an appropriate instrument of transfer, which must include certain provisions, including requiring Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; indicating that ownership of the property automatically reverts to the Texas Department of Criminal Justice if Brazoria County no longer uses the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and excluding from the transfer all mineral interests in and under the property and prohibits any exploration, drilling, or other similar intrusion on the property related to mineral interests.

C.S.S.B. 1953 describes the area and boundaries of the property to be transferred from TDCJ to Brazoria County.

C.S.S.B. 1953 requires the Texas Department of Criminal Justice (TDCJ) to transfer to the City of Houston certain real property specified in the bill, including any improvements affixed to the property, not later than October 31, 2010. The bill requires consideration for the transfer to be in the form of an agreement between the parties that requires the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state. The bill specifies that if the City of Houston fails to use the property in the manner described by the agreement for more than 180 continuous days, ownership of the property automatically reverts to TDCJ.

C.S.S.B. 1953 requires TDCJ to transfer the specified property to the City of Houston by an appropriate instrument of transfer, which must include certain provisions, including requiring the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; indicating that ownership of the property automatically reverts to the Texas Department of Criminal Justice if the City of Houston no longer uses the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and excluding from the transfer all mineral interests in and under the property and prohibits any exploration, drilling, or other similar intrusion on the property related to mineral interests.

C.S.S.B. 1953 describes the area and boundaries of the property to be transferred from TDCJ to the City of Houston.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B. 1953 removes a provision in the original that provided that the bill's provisions are contingent upon approval by formal resolution of the Texas Board of Criminal Justice.