

1-1 By: Deshotel (Senate Sponsor - Williams) H.B. No. 1023
1-2 (In the Senate - Received from the House April 6, 2009;
1-3 April 27, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 8, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the use of certain state property transferred from the
1-9 state to Spindletop MHMR Services.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 1, Chapter 1036 (H.B. 1759), Acts of the
1-12 80th Legislature, Regular Session, 2007, is amended by amending
1-13 Subsection (c) and adding Subsections (c-1) and (f-1) to read as
1-14 follows:

1-15 (c) Consideration for the transfer authorized by Subsection
1-16 (a) of this section shall be in the form of an agreement between the
1-17 parties that requires Spindletop MHMR Services to use the property
1-18 in a manner that primarily promotes a public purpose of the state by
1-19 using the property to provide community-based mental health or
1-20 mental retardation services. An agreement under this subsection
1-21 that is amended or supplemented by addendum under Subsection (f-1)
1-22 of this section to require Spindletop MHMR Services to use the
1-23 property in a manner that primarily promotes a public purpose of the
1-24 state by using the property to provide community-based physical
1-25 health, health-related, mental health, or mental retardation
1-26 services must be:

1-27 (1) executed by the parties; and

1-28 (2) recorded in the real property records of Jefferson
1-29 County, Texas.

1-30 (c-1) If Spindletop MHMR Services fails to use the property
1-31 in the ~~that~~ manner described by an agreement under Subsection (c)
1-32 of this section or an amendment or addendum to an agreement under
1-33 Subsection (f-1) of this section for more than 180 continuous days,
1-34 ownership of the property automatically reverts to the entity that
1-35 transferred the property to Spindletop MHMR Services.

1-36 (f-1) After a transfer of real property under Subsection (a)
1-37 of this section takes effect, the parties may amend or supplement by
1-38 addendum the agreement under Subsection (c) to require Spindletop
1-39 MHMR Services to use the property in a manner that primarily
1-40 promotes a public purpose of the state by using the property to
1-41 provide community-based physical health, health-related, mental
1-42 health, or mental retardation services.

1-43 SECTION 2. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2009.

1-48 * * * * *