

BILL ANALYSIS

H.B. 1235
By: Schwertner
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

More than 20 years ago, a piece of state-owned land in Williamson County was transferred to the Parks and Wildlife Department (TPWD). That land is now a park that is operated and maintained by Williamson County. More recently, TxDOT offered to transfer to TPWD, at no cost, a piece of land that represents an inholding at the site of the park. H.B. 1235 requires the transfer of that piece of land from TxDOT to TPWD, with the requirement that TPWD use the property only for a public park, and authorizes TPWD to lease the land to Williamson County for use as a public park.

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. 1235 requires the Texas Department of Transportation (TxDOT), not later than December 31, 2011, to transfer certain real property in Williamson County to the Parks and Wildlife Department (TPWD) and provides a description of the property. The bill specifies that the consideration for the transfer is the requirement that TPWD use the property only for a public park, a purpose that benefits the public interest of the state, and establishes that ownership of the property automatically reverts to TxDOT if TPWD no longer uses the property for that purpose. The bill requires TxDOT to transfer the property by an appropriate instrument of transfer, executed on its behalf by the commissioner of the General Land Office. The bill requires the instrument of transfer to include a provision that requires TPWD to use the property for a public park, a purpose that benefits the public interest of the state; allows TPWD to lease the property to the Williamson County Parks and Recreation Department for use as a public park; and indicates that ownership of the property automatically reverts to TxDOT if TPWD no longer uses the property for a public park. The bill requires the instrument of transfer to include a description by metes and bounds of the property to be transferred.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.