

By: Brown

H.B. No. 1727

Substitute the following for H.B. No. 1727:

By: Callegari

C.S.H.B. No. 1727

A BILL TO BE ENTITLED

AN ACT

relating to the sale and sale and leaseback of certain state property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 2165, Government Code, is amended by adding Section 2165.059 to read as follows:

Sec. 2165.059. SALE OR SALE AND LEASEBACK OF STATE BUILDINGS AND LAND. (a) The commission, with assistance from the asset management division of the General Land Office, shall study the financial implications for the state of selling state buildings and leasing office space for a period of 99 years.

(b) The commission, with assistance from the asset management division of the General Land Office, shall identify state buildings and underused or undeveloped land that could be sold or sold and leased back from the purchaser by the state under Section 31.151, Natural Resources Code. In making a determination under this section, the commission shall consider:

(1) the state's current need for office space and the projected need for office space;

(2) the potential uses for underused or undeveloped land;

(3) the fair market value of the buildings or land;

(4) the current and projected lease costs;

(5) any property tax implications resulting from the

1 sale; and

2 (6) the terms of the leaseback agreement.

3 SECTION 2. Subchapter E, Chapter 31, Natural Resources
4 Code, is amended by adding Section 31.151 to read as follows:

5 Sec. 31.151. SALE OR SALE AND LEASEBACK OF STATE BUILDINGS
6 AND LAND. (a) If the commissioner determines that the sale of one
7 or more state buildings or parcels of underused or undeveloped land
8 identified by the Texas Facilities Commission under Section
9 2165.059, Government Code, is the best use of the building or land
10 for the state, the commissioner shall sell the building or land to
11 one or more purchasers.

12 (b) If the commissioner determines that the sale and
13 leaseback of one or more state buildings sold under Subsection (a)
14 is the most economical means of providing office space for the
15 state, the commissioner may agree to lease the buildings back to the
16 state under a long-term lease.

17 (c) Section 31.159 does not apply to a sale under this
18 section.

19 (d) The lieutenant governor, the speaker of the house of
20 representatives, and the governor shall appoint an oversight
21 committee to receive information about the identification of state
22 buildings and land under Section 2165.059, Government Code, and
23 sale or sale and leaseback transactions under this section. The
24 oversight committee consists of four senators appointed by the
25 lieutenant governor, four members of the house of representatives
26 appointed by the speaker of the house of representatives, and one
27 member of the public appointed by the governor. The public member

1 serves a term of six years. The committee shall report to the
2 lieutenant governor and the speaker of the house of representatives
3 on any building or land recommended for sale and make any
4 recommendations the committee determines are necessary. The
5 commissioner and the Texas Facilities Commission shall keep the
6 committee informed.

7 SECTION 3. (a) Not later than September 1, 2012, the Texas
8 Facilities Commission shall develop a list of state buildings and
9 underused or undeveloped land under Section 2165.059, Government
10 Code, as added by this Act, the sale or sale and leaseback of which
11 would raise revenue under Section 31.151, Natural Resources Code,
12 as added by this Act.

13 (b) The comptroller may group the buildings and land
14 identified under Subsection (a) of this section into packages that
15 would each raise approximately \$500 million in revenue.

16 (c) The governor shall appoint the public member of the
17 oversight committee under Section 31.151(d), Natural Resources
18 Code, as added by this Act, for a term expiring February 1, 2017.

19 SECTION 4. This Act takes effect September 1, 2011.