

By: Brown

H.B. No. 1727

A BILL TO BE ENTITLED

AN ACT

relating to the 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 AND LEASEBACK OF STATE BUILDINGS. The commission, with assistance from the asset management division of the General Land Office, shall identify state buildings that could be 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 fair market value of the buildings;

(3) the current and projected lease costs;

(4) any property tax implications resulting from the sale; and

(5) the terms of the leaseback agreement.

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

Sec. 31.151. SALE AND LEASEBACK OF STATE BUILDINGS. (a) If the commissioner determines that the sale and leaseback of one or more state buildings identified by the Texas Facilities Commission under Section 2165.059, Government Code, is the most economical

1 means of providing office space for the state, the commissioner
2 shall sell those buildings to one or more purchasers who agree to
3 lease the buildings back to the state under a long-term lease.

4 (b) The state and a purchaser under this section must enter
5 into the lease agreement at the time of the sale.

6 (c) Section 31.159 does not apply to a sale under this
7 section.

8 (d) The lieutenant governor and the speaker of the house of
9 representatives shall appoint a joint standing legislative
10 committee to receive information about the identification of state
11 buildings under Section 2165.059, Government Code, and sale and
12 leaseback transactions under this section. The commissioner and
13 the Texas Facilities Commission shall keep the committee informed.

14 SECTION 3. (a) Not later than September 1, 2012, the Texas
15 Facilities Commission shall develop a list of state buildings under
16 Section 2165.059, Government Code, as added by this Act, the sale
17 and leaseback of which would raise \$30 billion in revenue under
18 Section 31.151, Natural Resources Code, as added by this Act.

19 (b) The comptroller shall group the buildings identified
20 under Subsection (a) into packages that would each raise
21 approximately \$2.5 billion in revenue.

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