

BILL ANALYSIS

C.S.H.B. 1982
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been widely reported that Fort Bend County is one of the fastest growing counties in Texas and that the demand for higher education there continues to grow. The parties report that the University of Houston System needs additional space to build and expand facilities at its Sugar Land campus and that the Texas Department of Transportation currently holds unused surplus land that is adjacent to the campus. The parties contend that this land is the ideal location for an academic building that would allow the campus to add much-needed programs. C.S.H.B. 1982 seeks to enhance economic growth in Fort Bend County, benefit the public interest of the state, and provide additional facilities for higher education at the University of Houston Sugar Land campus.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 1982 requires the Texas Department of Transportation (TxDOT), as soon as practicable after obtaining the necessary federal approval, to donate and transfer certain real property to the University of Houston and identifies the three tracts of land that constitute that property. The bill authorizes the university to use the transferred property only for a purpose that benefits the public interest of the state and establishes that ownership of the property automatically reverts to TxDOT if the university uses the property for any other purpose. The bill requires TxDOT to transfer the property by an appropriate instrument of transfer and requires the instrument to describe the property to be transferred by metes and bounds and to provide that the university may use the property only for a purpose that benefits the public interest of the state, that ownership of the property will automatically revert to TxDOT if the university uses the property for any other purpose, that the costs of relocating utility infrastructure located within the property are paid by the party that requests the relocation if such relocation is requested, and that the property is subject to an easement created for all existing utility infrastructure within the property. The bill requires TxDOT to retain custody of the instrument of transfer after the instrument is filed in the real property records of Fort Bend County.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1982 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1.

(a) Not later than December 31, 2015, the Texas Department of Transportation shall donate and transfer to the University of Houston the real property described by Subsection (e) of this section.

(b) The University of Houston may use the property transferred under this Act only for a purpose that benefits the public interest of the state. If the University of Houston uses the property for any purpose other than a purpose described by this subsection, ownership of the property automatically reverts to the Texas Department of Transportation.

(c) The Texas Department of Transportation shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must:

(1) provide that:

(A) the University of Houston may use the property only for a purpose that benefits the public interest of the state; and

(B) ownership of the property will automatically revert to the Texas Department of Transportation if the University of Houston uses the property for any purpose other than a purpose described by Paragraph (A) of this subdivision; and

(2) describe the property to be transferred by metes and bounds.

(d) The Texas Department of Transportation shall retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. (a) In this section, "utility infrastructure" includes any facility owned by an electric or gas utility, as defined by Section 31.002, 101.003, or 121.001, Utilities Code.

(b) As soon as practicable after obtaining the necessary federal approval, the Texas Department of Transportation shall donate and transfer to the University of Houston the real property described by Subsection (f) of this section.

(c) The University of Houston may use the property transferred under this Act only for a purpose that benefits the public interest of the state. If the University of Houston uses the property for any purpose other than a purpose described by this subsection, ownership of the property automatically reverts to the Texas Department of Transportation.

(d) The Texas Department of Transportation shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must:

(1) provide that:

(A) the University of Houston may use the property only for a purpose that benefits the public interest of the state;

(B) ownership of the property will automatically revert to the Texas Department of Transportation if the University of Houston uses the property for any purpose other than a purpose described by Paragraph (A) of this subdivision;

(C) if a relocation of utility infrastructure located within the property is requested, the relocation costs are paid by the requesting party; and

(D) the property is subject to an easement created for all existing utility infrastructure located within the property; and

(2) describe the property to be transferred by metes and bounds.

(e) The Texas Department of Transportation shall retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records

of Fort Bend County.

(e) Establishes the boundaries of the applicable tracts of land.

SECTION 2. This Act takes effect September 1, 2015.

of Fort Bend County.

(f) Same as introduced version.

SECTION 2. Same as introduced version.