86R10868 PMO-F

By:  Seliger S.B. No. 1226

A BILL TO BE ENTITLED

AN ACT

relating to the release of a reversionary interest in certain real property by the Health and Human Services Commission and conditions related to that release.

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

SECTION 1.  (a) Subject to Subsections (b) and (c) of this section and not later than February 1, 2021, the Health and Human Services Commission shall execute an appropriate instrument to release and nullify the right of reverter to which the real property described by Section 2 of this Act is subject under the deed filed in the Deed Records of Howard County, Texas, at Volume 795, Pages 141-143.

(b)  The Health and Human Services Commission shall by appropriate instrument release the right of reverter described by Subsection (a) of this section only if:

(1)  the West Texas Centers for Mental Health and Mental Retardation transfers by appropriate instrument of conveyance to Cap Rock Holdings, LLC, a Texas limited liability company, real property described by Section 2 of this Act in exchange for the real property described by Section 3 of this Act transferred by appropriate instrument of conveyance by Cap Rock Holdings, LLC, a Texas limited liability company, to West Texas Centers for Mental Health and Mental Retardation;

(2)  the fair market value of the real property described by Section 3 of this Act is equal to or greater than the fair market value of the real property described by Section 2 of this Act as established by an independent appraisal obtained by the asset management division of the General Land Office; and

(3)  the real property described by Section 3 of this Act is conveyed to the West Texas Centers for Mental Health and Mental Retardation by Cap Rock Holdings, LLC, a Texas limited liability company, by appropriate instrument of conveyance that includes a provision that imposes as a condition on title to the real property that the title will automatically vest in the Health and Human Services Commission if the West Texas Centers for Mental Health and Mental Retardation discontinues using the property for the purpose of providing community-based mental health and intellectual disability services for more than 180 continuous days.

(c)  The Health and Human Services Commission may execute the instrument releasing the right of reverter described by Subsection (a) of this section to nullify the right of reverter and clear the right of reverter from the title of the real property described by Section 2 of this Act only if the General Land Office has verified that the conditions described by Subsection (b) of this section have been satisfied.

SECTION 2.  The real property title to which is held by the West Texas Centers for Mental Health and Mental Retardation is situated in Howard County, Texas, and more particularly described as follows:

Lots 5, 6 and 7, Block 19, Original Town Site, Big Spring, Howard County, Texas and further described as being a +/- 0.48-acre tract in a deed to the State recorded at Volume 642, Page 480, of the Deed Records of Howard County, Texas.

SECTION 3.  The real property title to which is held by Cap Rock Holdings, LLC, a Texas limited liability company, is situated in Howard County, Texas, and more particularly described as follows:

400 Nolan, Big Spring, TX

Acres 0.257, LT 1 & N/30 of LT 2 BK 31 Original Town 80X140 0535 ACQ 062211 BLK/TRACT 31 0.257 acres

401 Johnson (7-11) Big Spring, TX

Acre 0.321, Lts 11-12 Blk 31 Original Town 100x140 0545 Blk/Tract 31 0.321 acres

Store #508

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.