

By: Cyrier

H.B. No. 4541

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Facilities Commission over certain real property owned by the state.

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

SECTION 1. Section 2166.052, Government Code, is amended by amending Subsection (b) and adding Subsections (d), (e), (f), (g), (h), and (i) to read as follows:

(b) The commission may not sell or otherwise dispose of real property of the state except:

(1) for real property located in the Capitol Complex,
by specific authority:

(A) [~~(1)~~] granted by the legislature if the
legislature is in session; or

(B) [~~(2)~~] granted jointly by the governor and the
Legislative Budget Board if the legislature is not in session; or

(2) for real property of the state other than the
property described by Subdivision (1):

(A) by specific authority granted by the
legislature if the legislature is in session; or

(B) subject to Subsection (e), through formal
notification to the governor and the Legislative Budget Board if
the legislature is not in session.

(d) When considering a sale of real property of the state
subject to Subsection (b)(2), the commission shall submit a formal

1 notification of the intent to sell the property to:

2 (1) the governor;

3 (2) the Legislative Budget Board; and

4 (3) each state senator and representative in whose
5 district the property is located.

6 (e) The governor may disapprove the sale of real property of
7 the state subject to Subsection (b)(2) by providing written notice
8 of the disapproval to the commission not later than the 90th day
9 after the date the governor receives the formal notification
10 required by Subsection (d).

11 (f) On request by the commission, the General Land Office
12 shall negotiate and close a sale of real property of the state under
13 this section on behalf of the commission using procedures
14 established in Section 31.158(c), Natural Resources Code, except
15 the land office is not required to offer the School Land Board the
16 first option to purchase the real property.

17 (g) Each transfer of an interest in real property of the
18 state under this section must be made by an instrument signed by the
19 executive director of the commission and the governor.

20 (h) The proceeds from the sale, lease, or other disposition
21 of real property of the state under this section shall be deposited
22 to the Texas capital trust fund established under Chapter 2201 and
23 dedicated to the acquisition, construction, repair, and
24 improvement of state facilities. Before depositing proceeds in the
25 fund, the commission may recover from the proceeds all amounts
26 spent by the commission for management, acquisition, and
27 disposition expenses.

1 (i) Sections 403.095 and 2201.003(b) do not apply to
2 proceeds deposited in the Texas capital trust fund in accordance
3 with this section.

4 SECTION 2. This Act takes effect September 1, 2019.