

By: Hughes

S.B. No. 739

A BILL TO BE ENTITLED

AN ACT

relating to the creation and operation of the Northeast Texas Trail State Park.

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

SECTION 1. Chapter 22, Parks and Wildlife Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. NORTHEAST TEXAS TRAIL

Sec. 22.2701. DEFINITIONS. In this subchapter:

(1) "Northeast Texas Trail" means the land between Farmersville and New Boston originally held as railway rights-of-way by the Union Pacific and the Chaparral Railroads, released for rail banking through the Surface Transportation Board of the United States Department of Transportation. The term includes rights-of-way converted in part to a trail by a nonprofit entity.

(2) "Park" means the Northeast Texas Trail State Park.

(3) "Transportation department" means the Texas Department of Transportation.

Sec. 22.2702. ACQUISITION AND CREATION. (a) The department shall acquire land, including by means of a long-term lease, necessary to form a continuous linear state park along the area known as the Northeast Texas Trail. The department may enter into an interlocal agreement with a municipality or county that owns or controls land to be acquired under this section in lieu of

1 acquiring a lease or title to the land.

2 (b) On the acquisition of land described by Subsection (a),
3 the department shall create the Northeast Texas Trail State Park.

4 Sec. 22.2703. TRAIL COMPLETION AND MAINTENANCE. (a) On the
5 creation of the park under Section 22.2702, the transportation
6 department shall complete conversion of the former railroad
7 right-of-way into a trail and complete other improvements and
8 structures necessary to the function of the park. The
9 transportation department may reroute the trail if necessary to
10 avoid the construction of major bridges, and the department shall
11 adjust the park's boundaries as necessary.

12 (b) The transportation department shall maintain the trail,
13 improvements, and structures constructed under Subsection (a).

14 Sec. 22.2704. OPERATION. (a) Except as provided by
15 Subsection (b), the department shall operate the park, including by
16 providing the administration and staff for the park.

17 (b) The department may enter into operational partnerships
18 with political subdivisions in which a portion of the park is
19 located for the operation of that portion of the park.

20 Sec. 22.2705. GIFTS AND GRANTS. The department and the
21 transportation department may accept gifts and grants to pay for
22 actions authorized under this subchapter.

23 SECTION 2. (a) In this section:

24 (1) "Parks department" means the Parks and Wildlife
25 Department.

26 (2) "Study" means the study authorized under this
27 section.

1 (3) "Transportation department" means the Texas
2 Department of Transportation.

3 (b) The parks department shall conduct, in cooperation with
4 the transportation department, a study regarding the operational
5 needs of the Northeast Texas Trail State Park, as that park would
6 exist if it were created as authorized under Section 22.2702, Parks
7 and Wildlife Code, as added by this Act.

8 (c) The study shall include:

9 (1) staffing requirements of the park;

10 (2) equipment and facilities necessary to operate the
11 park; and

12 (3) operational requirements of the park.

13 (d) Not later than September 1, 2021, the parks department
14 shall deliver the results of the study to the standing committees of
15 the house and senate having jurisdiction over parks.

16 SECTION 3. If the Northeast Texas Trail State Park is
17 created under Section 22.2702, Parks and Wildlife Code, as added by
18 this Act, the Parks and Wildlife Department and the Texas
19 Department of Transportation shall enter into a memorandum of
20 understanding regarding the maintenance and operation of the park.

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