

## **BILL ANALYSIS**

Senate Research Center  
76R7871 WP-F

S.B. 872  
By: Brown  
State Affairs  
3/29/1999  
As Filed

### **DIGEST**

Currently, the Texas Parks and Wildlife Department (TPWD) has some authority to acquire and dispose of property. However, this authority is specific and limiting, and greater flexibility is needed to implement an aggressive asset management program. This bill clarifies and expands TPWD authority to perform land transactions.

### **PURPOSE**

As proposed, S.B. 872 clarifies and expands Parks and Wildlife Department authority to perform land transactions.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 13.006, Parks and Wildlife Code, as follows:

Sec. 13.006. New heading: LEASE OF LANDS. Authorizes the Parks and Wildlife Department (TPWD) to lease land to a nonprofit organization. Prohibits the leased area from being referred to as a facility, rather than a park, and prohibits the use of state funds to administer a leased property, rather than park. Provides that the lease agreement is determined by TPWD and the lessee, rather than the governing body of the political subdivision. Deletes a specification that TPWD is authorized to lease land for park purposes.

SECTION 2. Amends Sections 13.008(a) and (b), Parks and Wildlife Code, to authorize TPWD to receive and refuse land for public, rather than state park purposes. Clarifies and expands TPWD's authority to transfer title to a site.

SECTION 3. Amends Section 13.009, Parks and Wildlife Code, to authorize the sale of TPWD property if its ownership is no longer in TPWD's best interest, rather than suitable for the purpose for which it was intended. Requires TPWD, rather than the state, to receive a land title. Deletes a provision regarding a potential sale of land used by TPWD. Deletes requirements for attorney general and governor approval of land exchange transactions. Makes conforming changes.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.