

BILL ANALYSIS

Senate Research Center
81R5929 PMO-D

H.B. 867
By: Aycock (Fraser)
Criminal Justice
5/1/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Several years ago, the City of Burnet purchased and donated land for the Ellen Halbert Unit of the Texas Department of Criminal Justice (TDCJ), located immediately adjacent to Burnet Municipal Airport on the west side. Since that time, private development on the southwest side of the airport, which will require access to the west of the runway, has been submitted for consideration. However, there is not enough room on that side of the property for any development without the addition of a small portion of the TDJ land which will effectively connect the private development and the property owned by the City of Burnet on the northwest side of the airport.

H.B. 867 requires TDCJ to transfer to the City of Burnet certain real property for the use of a purpose that benefits the public interest of Texas.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Requires the Texas Department of Criminal Justice (TDCJ), not later than September 30, 2009, to transfer to the City of Burnet the real property described by Subsection (e) of this section.

(b) Requires the City of Burnet to use the property transferred under this Act only for a purpose that benefits the public interest of the state. Provides that if the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to TDCJ.

(c) Requires TDCJ to transfer the property by an appropriate instrument of transfer. Requires that the instrument of transfer provide that the City of Burnet use the property only for a purpose that benefits the public interest of this state, and ownership of the property will automatically revert to TDCJ if the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state; and describe the property to be transferred by metes and bounds.

(d) Requires TDCJ to retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Burnet County.

(e) Sets forth a description of the real property referred to in this section.

(f) Requires the City of Burnet to pay any transaction fees resulting from the transfer of property under this Act.

SECTION 2. Effective date: upon passage or September 1, 2009.