

BILL ANALYSIS

Senate Research Center
87R5681 MWC-D

S.B. 510
By: Perry
Criminal Justice
3/17/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1992, land was transferred to the state to allow the Texas Department of Criminal Justice (TDCJ) to build two prisons in Stephens County. However, only one prison was actually built and the vast majority of the land that was transferred to TDCJ remains undeveloped. In addition, TDCJ has no plans to build another prison on the unused land.

This bill will transfer TDCJ's unused land to Stephens County. The county will be allowed to use the land for a purpose that benefits the public. TDCJ will retain ownership of the prison and the land the prison occupies.

As proposed, S.B. 510 amends current law relating to the transfer of certain state property from the Texas Department of Criminal Justice to Stephens County.

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), as soon as practicable, to transfer to Stephens County the real property interests of the State of Texas and TDCJ in the tract of land described by Subsection (f) of this section.

(b) Authorizes Stephens County to use the property transferred under this Act only for a purpose that benefits the public. Provides that if Stephens County uses the property for any purpose other than a purpose described by this subsection, ownership of the property automatically reverts to the State of Texas.

(c) Requires TDCJ to transfer the property by an appropriate instrument of transfer. Requires that the instrument of transfer contain certain information.

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

(e) Provides that Sections 31.158 (Real Estate Transactions Authorized by Legislature) and 31.159 (First Option to Purchase), Natural Resources Code, do not apply to the transfer of real property authorized by this Act.

(f) Sets forth the metes and bounds of the applicable property.

SECTION 2. Effective date: upon passage or September 1, 2021.