

## **BILL ANALYSIS**

Senate Research Center  
78R6509 PAM-D

S.B. 982  
By: Whitmire  
Criminal Justice  
3/31/2003  
As Filed

### **DIGEST AND PURPOSE**

The Texas Department of Public Safety (DPS) owned a tract of land generally located at 10110 Northwest Freeway in Houston, Texas. DPS permitted the city to install city radio antenna and communication equipment on the tower. In 1999, DPS conveyed the property on which the tower is located to the Texas Department of Criminal Justice (TDCJ), which has no need for the communications tower, but needs the rest of the property. TDCJ is willing to convey the tower site to the city so the city can keep its communications equipment for that quadrant in place. DPS is willing to grant the city access and utility easements across DPS property adjacent to the tower. As proposed, S.B. 982 authorizes DPS and the TDCJ to grant the necessary easements and fee title to the tower site to the City of Houston, 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) and the Department of Public Safety of the State of Texas (DPS), before November 1, 2003, to transfer to the City of Houston, for consideration to which the parties mutually agree, their respective interests in the real property described by Subsection (d) of this section, including any improvements affixed to the property.

(b) Authorizes consideration for the transfer authorized by Subsection (a) of this section to be in the form of an agreement between the parties that requires the City of Houston to use the property for a purpose that benefits the public interest of the state. Authorizes the City of Houston to use the property transferred under this Act only for a purpose that benefits the public interest of the state and provides that ownership of the property automatically reverts to TDCJ and DPS, if the City of Houston no longer uses the property for a purpose that benefits the public interest of the state, if consideration for the transfer is in the form of an agreement described by this subsection.

(c) Requires TDCJ and DPS to transfer their respective interest in the property by an appropriate instrument of transfer. Requires the instrument of transfer, if the consideration for the transfer is in the form of an agreement described by Subsection (b) of this section, to include a certain provision.

(d) Provides that the real property to which Subsection (a) of this section refers is described as 10110 Northwest Freeway (U.S. Highway 290), Houston, Texas.

SECTION 2. Effective date: upon passage or September 1, 2003.