

## **BILL ANALYSIS**

Senate Research Center  
82R6592 NC-D

H.B. 1235  
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Transportation & Homeland Security  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

More than 20 years ago, a piece of state-owned land in Williamson County was transferred to the Texas Parks and Wildlife Department (TPWD). That land is now a park that is operated and maintained by Williamson County. More recently, the Texas Department of Transportation (TxDOT) offered to transfer to TPWD, at no cost, a piece of land that represents an inholding at the site of the park. H.B. 1235 requires the transfer of that piece of land from TxDOT to TPWD, with the requirement that TPWD use the property only for a public park, and authorizes TPWD to lease the land to Williamson County for use as a public park.

H.B. 1235 amends current law relating to the transfer of certain state property from TxDOT to TPWD.

### **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 Transportation (TxDOT), not later than December 31, 2011, to transfer to the Parks and Wildlife Department (TPWD) the real property described by Subsection (d) of this section.

(b) Provides that the consideration for the transfer authorized by Subsection (a) of this section is the requirement that TPWD use the property transferred only for a public park, a purpose that benefits the public interest of the state. Provides that if TPWD no longer uses the property for a public park, ownership of the property automatically reverts to TxDOT.

(c) Requires TxDOT to transfer the property by an appropriate instrument of transfer, executed on its behalf by the commissioner of the General Land Office. Requires that the instrument of transfer:

(1) include a provision that:

(A) requires TPWD to use the property for a public park, a purpose that benefits the public interest of the state;

(B) allows TPWD to lease the property described by Subsection (d) to the Williamson County Parks and Recreation Department for use as a public park; and

(C) indicates that ownership of the property automatically reverts to the TxDOT if TPWD no longer uses the property for a public park; and

(2) describe the property to be transferred by metes and bounds.

(d) Provides that the real property to which Subsection (a) of this section refers is described as follows:

A tract of land situated in the Damon Survey, Abstract No. 170, in Williamson County, Texas, being all of that called 6.180 acre tract of land (Tract 7), as shown on that unrecorded plat prepared by KC Engineering dated July 18, 1994, on ten (10) tracts of land out of that called 780.508 acre tract of land conveyed to the State of Texas, State Department of Highways and Public Transportation, by instrument recorded in Volume 1723, Page 855, of the Official Records of Williamson County, Texas.

SECTION 2. Effective date: upon passage or September 1, 2011.