

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3636
By: Morrison (Kolkhorst)
Criminal Justice
5/16/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that the transfer of certain real property from the Texas Board of Criminal Justice to DeWitt County would be beneficial for the construction of a new airport. H.B. 3636 provides for the transfer. H.B. 3636 requires the Texas Board of Criminal Justice to transfer specified real property to DeWitt County not later than December 31, 2029, and sets out provisions relating to the transfer. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 3636 amends current law relating to the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission and the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt 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. Amends Chapter 442, Government Code, by adding Subchapter B-1, as follows:

SUBCHAPTER B-1. STAR OF THE REPUBLIC MUSEUM

Sec. 442.061. DEFINITION. Defines "museum" to mean the Star of the Republic Museum.

Sec. 442.062. JURISDICTION AND MAINTENANCE OF MUSEUM. (a) Provides that the museum and its contents are under the jurisdiction of the Texas Historical Commission (THC). Provides that THC is responsible for the preservation, maintenance, and operation of the museum.

(b) Provides that, notwithstanding Subsection (a), Blinn College District (district) maintains ownership of the museum, the land on which the museum is located, and the artifacts in the museum.

(c) Provides that, except as provided by Subsection (b), any power or duty related to the museum formerly vested in any other state agency or entity is vested solely in THC.

(d) Requires THC, in coordination with an advisory committee appointed by the board of trustees of the district, to promote the educational and public awareness programs at the museum, the Washington-on-the-Brazos State Historic Site, and the Barrington Living History Farm.

Sec. 442.063. GRANTS; DONATIONS. Authorizes THC to accept a grant or donation for any program of purpose of the museum.

SECTION 2. (a) Provides that, on January 1, 2020, the following are transferred to THC:

- (1) all powers and duties of the district relating to the museum;
- (2) all unobligated and unexpended funds appropriated, donated, or contributed to the district designated for the administration of any part of the museum; and
- (3) all files and other records of the district regarding the museum.

(b) Requires the district, notwithstanding any other law, to continue to perform functions and activities related to the museum until January 1, 2020, and provides that the former law is continued in effect for that purpose.

SECTION 3. (a) Requires the Texas Board of Criminal Justice (TBCJ), not later than December 31, 2029, and subject to Subsections (b), (c), and (d) of this section, to transfer to DeWitt County the real property described by Subsection (e) of this Act.

(b) Requires the transfer authorized by Subsection (a) of this section to be for consideration in an amount not less than the fair market value of the property. Requires the historical fair market value of the real property as of December 2, 1992, to be offered to establish the fair market value of the property.

(c) Requires the Texas General Land Office to negotiate and close a transaction under this section on behalf of TBCJ.

(d) Provides that Section 31.158 (Real Estate Transactions Authorized by Legislature), Natural Resources Code, does not apply to a transaction under this section.

(e) Sets forth the description of the real property held by the Texas Department of Criminal Justice in DeWitt County, Texas.

SECTION 4. Effective date: upon passage or September 1, 2019.