

Chapter 612

H.B. No. 3402

AN ACT

relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) Not later than June 30, 2018, the Texas Board of Criminal Justice shall sell the real property described by Subsection (d) of this section if the board receives a bid for the fair market value of the property.

(b) The Texas Board of Criminal Justice shall sell the property as provided by Section 496.0021, Government Code. The General Land Office shall negotiate and close a transaction involving the real property described by this section on behalf of the board using the procedures under Section 31.158, Natural Resources Code. The sale shall exclude the mineral interests in and under the property, and the deed shall contain a provision expressly reserving the state's interest in and right to remove all oil, gas, and other minerals in and under the real property described by Subsection (d) of this section.

(c) In this section, "proposed reservoir tract" means the 2,200 acres sold in Brazoria County by the Texas Board of Criminal Justice in 2011.

(d) The Texas Board of Criminal Justice shall sell the real property described as follows:

Approximately 22 acres, more or less, along the un-named tributary

1 to Oyster Creek within the 2,682 acre tract or parcel of land
2 conveyed to the Prison Commission of the State of Texas as recorded
3 in Book 145, Page 307 of the Deed Records Brazoria County, Texas
4 lying within the Stephen F. Austin League No 8, Abstract 25 in
5 Brazoria County, Texas near the City of Angleton, Texas. The
6 approximate boundaries of the 22 acres are: starting at the
7 confluence of the un-named tributary to Oyster Creek and the Oyster
8 Creek channel which is located approximately 673 feet north of the
9 proposed reservoir tract, extending north approximately 3,660 feet
10 along the un-named tributary to Oyster Creek and extending east and
11 west of the centerline of said tributary approximately 130 feet;
12 And, approximately 274 acres along Oyster Creek, more or less,
13 being part of the 2,682 acre tract or parcel of land conveyed to the
14 Prison Commission of the State of Texas as recorded in Book 145,
15 Page 307 of the Deed Records of Brazoria County, Texas lying within
16 the Stephen F. Austin League No. 8, Abstract 25; and the Stephen
17 Richardson League, abstract 122; and the William Harris League,
18 abstract 71 in Brazoria County, Texas near the City of Angleton,
19 Texas. The approximate boundaries of the 274 acres are: from the
20 confluence of the un-named tributary to Oyster Creek and the Oyster
21 Creek channel, located approximately 673 feet north of the
22 northeast corner of the proposed reservoir tract to the northeast
23 corner of the proposed reservoir tract and extending east and west
24 of the centerline of the Oyster Creek Channel approximately 220
25 feet; from the northeast corner of the proposed reservoir tract to
26 the intersection of the center line of Oyster Creek with the eastern
27 boundary of the old railroad grade road, lands that extend from

1 approximately 220 feet east of the center line of Oyster Creek,
2 westward and southward to the proposed reservoir tract; land
3 extending south and westward from the intersection of centerline of
4 Oyster Creek and the eastern boundary of the old railroad Grade
5 road, south through points defined by latitude and longitude
6 coordinates:

7 Latitude: 29.260925°, Longitude: -95.527633°;

8 Latitude: 29.260682°, Longitude: -95.526219°;

9 Latitude: 29.259672°, Longitude: -95.525333°;

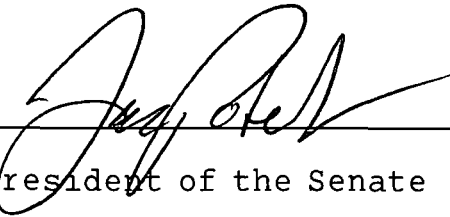
10 Latitude: 29.259409°, Longitude: -95.523467°;

11 Latitude: 29.259481°, Longitude: -95.521911°;

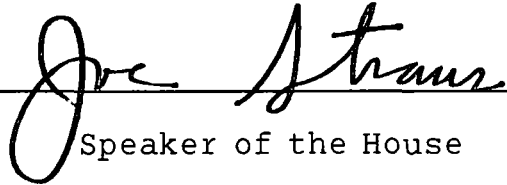
12 Latitude: 29.259356°, Longitude: -95.521045°; and

13 Latitude: 29.258961°, Longitude: -95.520931° with the southern
14 boundary being formed by the southern limits of contiguous land
15 conveyed to the Prison Commission of the State of Texas.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.

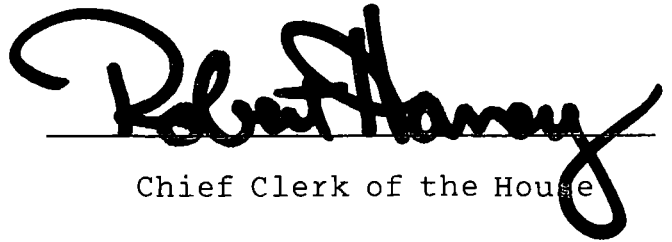


President of the Senate



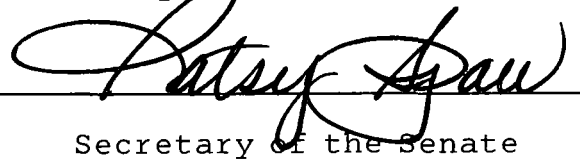
Speaker of the House

I certify that H.B. No. 3402 was passed by the House on April 27, 2017, by the following vote: Yeas 144, Nays 0, 3 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 3402 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.




Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 8, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3402 by Bonnen, Dennis (Relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.), **As Engrossed**

There could be an indeterminate one-time revenue gain to the state depending on the sale price of the property.

The bill would require the Texas Board of Criminal Justice to sell real property, as described in the bill, in Brazoria County through the General Land Office if the Board receives a bid at fair market value of the property. Assuming a sales transaction occurs, there would be a one-time General Revenue Fund gain in the amount of the sale price to the Department of Criminal Justice. Any costs associated with the sale of the property could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, KJo, ZB, AI, KVe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 13, 2017

TO: Honorable James White, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3402 by Bonnen, Dennis (relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.), **Committee Report 1st House, Substituted**

There could be an indeterminate one-time revenue gain to the state depending on the sale price of the property.

The bill would require the Texas Board of Criminal Justice to sell real property, as described in the bill, in Brazoria County through the General Land Office if the Board receives a bid at fair market value of the property. Assuming a sales transaction occurs, there would be a one-time General Revenue Fund gain in the amount of the sale price to the Department of Criminal Justice. Any costs associated with the sale of the property could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, KJo, AI, KVe

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 11, 2017

TO: Honorable James White, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3402 by Bonnen, Dennis (Relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3402, As Introduced: a positive impact of \$740,000 through the biennium ending August 31, 2019.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$740,000
2019	\$0
2020	\$0
2021	\$0
2022	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from General Revenue Fund 1
2018	\$740,000
2019	\$0
2020	\$0
2021	\$0
2022	\$0

Fiscal Analysis

The bill would require the Texas Board of Criminal Justice to sell real property, as described in the bill, in Brazoria County through the General Land Office (GLO) if the Board receives a bid of at least \$740,000.

Methodology

Assuming a sales transaction occurs, there would be a one-time General Revenue Fund gain of \$740,000 or

more to the Department of Criminal Justice. For purposes of this analysis the sale of property is assumed in fiscal year 2018. Any costs associated with the sale of the property could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 303 Facilities Commission, 304 Comptroller of Public Accounts, 696
Department of Criminal Justice

LBB Staff: UP, KJo, AI, KVe, LCO, JGA, JSm