

By: Goldman, Tepper

H.B. No. 4082

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the purposes for which a municipality or county may
3 issue an anticipation note or certificate of obligation.

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

5 SECTION 1. Section 1431.001, Government Code, is amended by
6 adding Subdivision (6) to read as follows:

7 (6) "Public work" for an issuer that is a municipality
8 or county has the meaning assigned by Section 271.043, Local
9 Government Code.

10 SECTION 2. Section 271.043, Local Government Code, is
11 amended by adding Subdivision (7-a) to read as follows:

12 (7-a) "Public work" for an issuer that is a
13 municipality or county:

14 (A) means any of the following public
15 improvements as authorized by law:

16 (i) a street, road, highway, bridge,
17 sidewalk, or parking structure;

18 (ii) a landfill;

19 (iii) an airport;

20 (iv) a utility system, water supply
21 project, water treatment plant, wastewater treatment plant, or
22 water or wastewater conveyance facility;

23 (v) a wharf or dock;

24 (vi) a flood control and drainage project;

1 (vii) a public safety facility, including a
2 police station, fire station, emergency shelter, jail, or juvenile
3 detention facility;

4 (viii) a judicial facility;

5 (ix) an administrative office building
6 housing the governmental functions of the municipality or county;

7 (x) an animal shelter;

8 (xi) a library; or

9 (xii) a park or recreation facility that is
10 generally accessible to the public and is part of the municipal or
11 county park system;

12 (B) means the rehabilitation, expansion,
13 reconstruction, or maintenance of an existing stadium, arena, civic
14 center, convention center, or coliseum that is owned and operated
15 by the municipality or county or by an entity created to act on
16 behalf of the municipality or county; and

17 (C) does not include:

18 (i) a facility for which more than 50
19 percent of the average annual usage is or is intended to be for
20 professional or semi-professional sports;

21 (ii) a new stadium, arena, civic center,
22 convention center, or coliseum that is or is intended to be leased
23 by a single for-profit tenant for more than 180 days in a single
24 calendar year; or

25 (iii) a hotel.

26 SECTION 3. The changes in law made by this Act apply only to
27 an anticipation note or certificate of obligation issued on or

1 after the effective date of this Act.

2 SECTION 4. This Act takes effect September 1, 2023.