

By: Kolkhorst

H.B. No. 2391

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain areas of a municipality or county to participate in certain economic development programs.

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

SECTION 1. Section 2155.449, Government Code, as added by Section 14.03, Chapter 1422, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subsection (c) to read as follows:

(c) For the purposes of this section, an area shall be treated in the same manner as an economically depressed or blighted area if the area is located in a municipality, county, or metropolitan statistical area in which 45 percent or more of the workforce is employed by the federal or state government, according to the most recent report by the Texas Workforce Commission that provides that information.

SECTION 2. Section 2303.102, Government Code, is amended by adding Subsection (d) to read as follows:

(d) For the purposes of this chapter, an area shall be treated in the same manner as an area of pervasive poverty, unemployment, and economic distress if 45 percent or more of the workforce of the municipality, county, or metropolitan statistical area in which the area is located is employed by the federal or state government, according to the most recent report by the Texas Workforce Commission that provides that information.

SECTION 3. Subchapter E, Chapter 2306, Government Code, is amended by adding Section 2306.101 to read as follows:

Sec. 2306.101. RULES RELATING TO TEXAS CAPITAL FUND PROGRAMS. The Texas Department of Housing and Community Affairs shall provide by rule that a person is presumed to be a low or moderate income person for purposes of allocating funds from the Texas Capital Fund for real estate improvements or infrastructure improvements if the person resides in a municipality, county, or metropolitan statistical area in which 45 percent or more of the workforce is employed by the federal or state government, according to the most recent report by the Texas Workforce Commission that provides that information.

SECTION 4. Section 171.721(2), Tax Code, as effective September 1, 2003, is amended to read as follows:

(2) "Strategic investment area" means an area that is determined by the comptroller under Section 171.726 that is:

(A) a county within this state with above state average unemployment and below state average per capita income;

(B) an area within this state that is a federally designated urban enterprise community or an urban enhanced enterprise community; ~~[or]~~

(C) a county within this state that has a spaceport, as defined by Section 4D, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), as added by Chapter 1537, Acts of the 76th Legislature, Regular Session, 1999, within its boundaries; or

(D) an area located in a municipality, county, or

1 metropolitan statistical area in which 45 percent or more of the
2 workforce is employed by the federal or state government, according
3 to the most recent report by the Texas Workforce Commission that
4 provides that information.

5 SECTION 5. Section 171.721(2), Tax Code, as effective
6 January 1, 2005, is amended to read as follows:

7 (2) "Strategic investment area" means an area that is
8 determined by the comptroller under Section 171.726 that is:

9 (A) a county within this state with above state
10 average unemployment and below state average per capita income;

11 (B) an area within this state that is a federally
12 designated urban enterprise community or an urban enhanced
13 enterprise community; ~~or~~

14 (C) a defense economic readjustment zone
15 designated under Chapter 2310, Government Code; or

16 (D) an area located in a municipality, county, or
17 metropolitan statistical area in which 45 percent or more of the
18 workforce is employed by the federal or state government, according
19 to the most recent report by the Texas Workforce Commission that
20 provides that information.

21 SECTION 6. (a) Except as provided by Subsection (b) of this
22 section, this Act takes effect September 1, 2003.

23 (b) Section 5 of this Act takes effect January 1, 2005.

24 SECTION 7. The Texas Department of Housing and Community
25 Affairs shall adopt rules as required by Section 2306.101,
26 Government Code, as added by this Act, on or before January 1, 2004.