

1-1 By: Kolkhorst, et al. (Senate Sponsor - Seliger) H.B. No. 2928
1-2 (In the Senate - Received from the House May 2, 2005;
1-3 May 3, 2005, read first time and referred to Subcommittee on
1-4 Emerging Technologies and Economic Development; May 20, 2005,
1-5 reported adversely, with favorable Committee Substitute to
1-6 Committee on Business and Commerce; May 21, 2005, reported
1-7 adversely, with favorable Committee Substitute from Committee on
1-8 Business and Commerce by the following vote: Yeas 6, Nays 0;
1-9 May 21, 2005, sent to printer.)

1-10 COMMITTEE SUBSTITUTE FOR H.B. No. 2928 By: Lucio

1-11 A BILL TO BE ENTITLED
1-12 AN ACT

1-13 relating to projects that may be undertaken by certain development
1-14 corporations with respect to business enterprises or business
1-15 development.

1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Section 2(11), Development Corporation Act of
1-18 1979 (Article 5190.6, Vernon's Texas Civil Statutes), is amended to
1-19 read as follows:

1-20 (11) ~~[(A)]~~ "Project" shall mean:

1-21 (A) the land, buildings, equipment, facilities,
1-22 expenditures, targeted infrastructure, and improvements (one or
1-23 more) that are for the creation or retention of primary jobs and
1-24 that are found by the board of directors to be required or suitable
1-25 for the development, retention, or expansion of manufacturing and
1-26 industrial facilities, research and development facilities,
1-27 transportation facilities (including but not limited to airports,
1-28 ports, mass commuting facilities, and parking facilities), sewage
1-29 or solid waste disposal facilities, recycling facilities, air or
1-30 water pollution control facilities, facilities for the furnishing
1-31 of water to the general public, distribution centers, small
1-32 warehouse facilities capable of serving as decentralized storage
1-33 and distribution centers, primary job training facilities for use
1-34 by institutions of higher education, and regional or national
1-35 corporate headquarters facilities; ~~[-]~~

1-36 (B) ~~["Project" also includes]~~ job training
1-37 required or suitable for the promotion of development and expansion
1-38 of business enterprises and other enterprises described by this
1-39 Act, as provided by Section 38 of this Act; ~~or [-]~~

1-40 (C) ~~["Project" also includes]~~ expenditures found
1-41 by the board of directors to be required or suitable for
1-42 infrastructure necessary to promote or develop new or expanded
1-43 business enterprises limited to streets and roads, rail spurs,
1-44 water and sewer utilities, electric utilities, gas utilities,
1-45 drainage, site improvements, and related improvements, and
1-46 telecommunications and Internet improvements.

1-47 SECTION 2. Section 4B(a), Development Corporation Act of
1-48 1979 (Article 5190.6, Vernon's Texas Civil Statutes), is amended by
1-49 adding Subdivision (3) to read as follows:

1-50 (3) For a corporation created by an eligible city with
1-51 a population of 20,000 or less, "project" shall also include the
1-52 land, buildings, equipment, facilities, expenditures, targeted
1-53 infrastructure, and improvements found by the board of directors to
1-54 promote new or expanded business development.

1-55 SECTION 3. Section 40(a), Development Corporation Act of
1-56 1979 (Article 5190.6, Vernon's Texas Civil Statutes), is amended to
1-57 read as follows:

1-58 (a) A corporation created under this Act may not provide a
1-59 direct incentive to or make an expenditure on behalf of a business
1-60 enterprise under a project as defined by Section 2 or 4B(a)(2) or
1-61 (3) of this Act unless the corporation enters into a performance
1-62 agreement with the business enterprise.

1-63 SECTION 4. This Act takes effect September 1, 2005.

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