

By: Gallego

H.B. No. 3397

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of a county to develop a parks and
3 recreation system under the law governing sports and community
4 venue projects.

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

6 SECTION 1. Section 334.001(4), Local Government Code, as
7 amended by House Bill No. 1150, Acts of the 78th Legislature,
8 Regular Session, 2003, is amended to read as follows:

9 (4) "Venue" means:

10 (A) an arena, coliseum, stadium, or other type of
11 area or facility:

12 (i) that is used or is planned for use for
13 one or more professional or amateur sports events, community
14 events, or other sports events, including rodeos, livestock shows,
15 agricultural expositions, promotional events, and other civic or
16 charitable events; and

17 (ii) for which a fee for admission to the
18 events is charged or is planned to be charged;

19 (B) a convention center facility or related
20 improvement such as a convention center, civic center, civic center
21 building, civic center hotel, auditorium, theater, opera house,
22 music hall, exhibition hall, rehearsal hall, park, zoological park,
23 museum, aquarium, or plaza located in the vicinity of a convention
24 center or facility owned by a municipality or a county;

1 (C) a tourist development area along an inland
2 waterway;

3 (D) a municipal or county parks and recreation
4 system, or improvements or additions to a parks and recreation
5 system, or an area or facility that is part of a municipal or county
6 parks and recreation system;

7 (E) a project authorized by Section 4A or 4B,
8 Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas
9 Civil Statutes), as that Act existed on September 1, 1997; and

10 (F) a watershed protection and preservation
11 project; a recharge, recharge area, or recharge feature protection
12 project; a conservation easement; or an open-space preservation
13 program intended to protect water.

14 SECTION 2. Section 334.024(f), Local Government Code, is
15 amended to read as follows:

16 (f) If the venue project is authorized by Section
17 334.001(4)(D) and the venue project does not include improvements
18 and/or additions to all parks and/or recreation facilities of the
19 municipality or county, the description of the venue project in the
20 proposition, if for improvements or additions to an existing park
21 or recreation facility, shall identify by name or location each
22 park or recreation facility and, if for acquisition and/or
23 improvement of a new park or recreation facility, the general
24 location within the municipality or county of the new park,
25 recreational system, or facility.

26 SECTION 3. Section 334.1015, Local Government Code, is
27 amended to read as follows:

1 Sec. 334.1015. APPLICATION. This subchapter does not apply
2 to the financing of a venue project that is an area or facility that
3 is part of a municipal or county parks and recreation system.

4 SECTION 4. (a) Section 334.2515, Local Government Code, as
5 amended by Chapters 660 and 1044, Acts of the 77th Legislature,
6 Regular Session, 2001, is reenacted and amended to read as follows:

7 Sec. 334.2515. APPLICATION. Except as provided by Section
8 334.2516, this subchapter does not apply to the financing of a venue
9 project that is:

10 (1) an area or facility that is part of a municipal or
11 county parks and recreation system as described by Section
12 334.001(4)(D); or

13 (2) a project described by Section 334.001(4)(E),
14 except for projects described in Section 334.001(4)(A).

15 (b) Section 334.2515, Local Government Code, as reenacted
16 by Section 12.006, House Bill No. 3507, Acts of the 78th
17 Legislature, Regular Session, 2003, is repealed.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect November 1, 2003.