

1-1 By: West S.B. No. 771
1-2 (In the Senate - Filed February 25, 2005; March 10, 2005,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 25, 2005, reported favorably, as amended, by the
1-5 following vote: Yeas 5, Nays 0; April 25, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Gallegos

1-7 Amend S.B. No.771, in SECTION 1 of the bill, in added Paragraph (I)
1-8 (page 1, lines 39-40), by striking the words "or underused".

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to the criteria for designation of a reinvestment zone for
1-12 purposes of tax increment financing and to the powers of a
1-13 municipality that has created a reinvestment zone.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Subsection (a), Section 311.005, Tax Code, is
1-16 amended to read as follows:

1-17 (a) To be designated as a reinvestment zone, an area must:

1-18 (1) substantially arrest or impair the sound growth of
1-19 the municipality creating the zone, retard the provision of housing
1-20 accommodations, or constitute an economic or social liability and
1-21 be a menace to the public health, safety, morals, or welfare in its
1-22 present condition and use because of the presence of:

1-23 (A) a substantial number of substandard, slum,
1-24 deteriorated, or deteriorating structures;

1-25 (B) the predominance of defective or inadequate
1-26 sidewalk or street layout;

1-27 (C) faulty lot layout in relation to size,
1-28 adequacy, accessibility, or usefulness;

1-29 (D) unsanitary or unsafe conditions;

1-30 (E) the deterioration of site or other
1-31 improvements;

1-32 (F) tax or special assessment delinquency
1-33 exceeding the fair value of the land;

1-34 (G) defective or unusual conditions of title;

1-35 [~~or~~]

1-36 (H) conditions that endanger life or property by
1-37 fire or other cause; or

1-38 (I) structures, other than single-family
1-39 residential structures, that have been substantially vacant or
1-40 underused for at least five years;

1-41 (2) be predominantly open and, because of obsolete
1-42 platting, deterioration of structures or site improvements, or
1-43 other factors, substantially impair or arrest the sound growth of
1-44 the municipality; [~~or~~]

1-45 (3) be in a federally assisted new community located
1-46 in the municipality or in an area immediately adjacent to a
1-47 federally assisted new community; or

1-48 (5) be an area described in a petition requesting that
1-49 the area be designated as a reinvestment zone, if the petition is
1-50 submitted to the governing body of the municipality by the owners of
1-51 property constituting at least 50 percent of the appraised value of
1-52 the property in the area according to the most recent certified
1-53 appraisal roll for the county in which the area is located.

1-54 SECTION 2. Section 311.008, Tax Code, is amended by adding
1-55 Subsection (e) to read as follows:

1-56 (e) The implementation of a project plan to alleviate a
1-57 condition described by Section 311.005(a)(1), (2), or (3) and to
1-58 promote development or redevelopment of a reinvestment zone in
1-59 accordance with this chapter serves a public purpose.

1-60 SECTION 3. This Act takes effect immediately if it receives
1-61 a vote of two-thirds of all the members elected to each house, as
1-62 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2005.

2-3 * * * * *