

1-1 By: Deuell S.B. No. 812
1-2 (In the Senate - Filed February 28, 2005; March 10, 2005,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 23, 2005, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; March 23, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the powers of a community center.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 534.022, Health and Safety Code, is
1-11 amended by amending Subsections (a) and (b) and adding Subsections
1-12 (a-1) and (f) to read as follows:

1-13 (a) To acquire or to refinance the acquisition of real and
1-14 personal property, ~~[or]~~ to construct improvements to property, or
1-15 to finance all or part of a payment owed or to be owed on a credit
1-16 agreement, a community center may contract in accordance with
1-17 Subchapter A, Chapter 271, Local Government Code, or issue,
1-18 execute, refinance, or refund bonds, notes, obligations, or
1-19 contracts. The community center may secure the payment of the
1-20 bonds, notes, obligations, or contracts with a security interest in
1-21 or pledge of its revenues~~[, receivables, contract rights, or~~
1-22 ~~accounts]~~ or by granting a mortgage on any of its properties.

1-23 (a-1) For purposes of Subsection (a), "revenues" includes
1-24 the following, as those terms are defined by Section 9.102,
1-25 Business & Commerce Code:

- 1-26 (1) an account;
1-27 (2) a chattel paper;
1-28 (3) a commercial tort claim;
1-29 (4) a deposit account;
1-30 (5) a document;
1-31 (6) a general intangible;
1-32 (7) a health care insurance receivable;
1-33 (8) an instrument;
1-34 (9) investment property;
1-35 (10) a letter-of-credit right; and
1-36 (11) proceeds.

1-37 (b) Except as provided by Subsection (f), the [The]
1-38 community center shall issue the bonds, ~~[or]~~ notes, or obligations
1-39 in accordance with Chapters 1201 and 1371, Government Code. The
1-40 attorney general must approve before issuance:

1-41 (1) notes issued in the form of public securities, as
1-42 that term is defined by Section 1201.002, Government Code;

1-43 (2) obligations, as that term is defined by Section
1-44 1371.001, Government Code; and

1-45 (3) [the] bonds [before issuance].

1-46 (f) The board of trustees of a community center may
1-47 authorize the issuance of an anticipation note in the same manner,
1-48 using the same procedure, and with the same rights under which an
1-49 eligible school district may authorize issuance under Chapter 1431,
1-50 Government Code, except that anticipation notes issued for the
1-51 purposes described by Section 1431.004(a)(2), Government Code, may
1-52 not, in the fiscal year in which the attorney general approves the
1-53 notes for a community center, exceed 50 percent of the revenue
1-54 anticipated to be collected in that year.

1-55 SECTION 2. This Act takes effect September 1, 2005.

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