

By: West, Royce

S.B. No. 1098

A BILL TO BE ENTITLED

AN ACT

relating to projects that may be undertaken by certain development corporations in connection with business development or activity.

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

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

(11) ~~(A)~~ "Project" shall mean:

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

(B) ~~["Project" also includes]~~ job training

1 required or suitable for the promotion of development and expansion  
2 of business enterprises and other enterprises described by this  
3 Act, as provided by Section 38 of this Act; ~~[-]~~

4 (C) [~~"Project" also includes]~~ expenditures found  
5 by the board of directors to be required or suitable for  
6 infrastructure necessary to promote or develop new or expanded  
7 business enterprises limited to streets and roads, rail spurs,  
8 water and electric utilities, gas utilities, drainage and related  
9 improvements, and telecommunications and Internet improvements; or

10 (D) for purposes of a corporation created by a  
11 city located in a county with a population of less than 25,000, the  
12 land, buildings, equipment, facilities, expenditures,  
13 infrastructure, or improvements that are found by the board of  
14 directors to be required or suitable for the promotion of new or  
15 expanded business development.

16 SECTION 2. Section 4B, Development Corporation Act of 1979  
17 (Article 5190.6, Vernon's Texas Civil Statutes), is amended by  
18 adding Subsection (a-6) to read as follows:

19 (a-6)(1) In this subsection, "land-locked community" means  
20 a city that has within its city limits and extraterritorial  
21 jurisdiction less than 500 acres that can be used for the  
22 development of manufacturing or industrial facilities in  
23 accordance with the zoning laws or land use restrictions of the  
24 city.

25 (2) For a land-locked community that creates or has  
26 created a corporation governed by this section, "project" also  
27 includes expenditures found by the board of directors to be

1 required for the promotion of new or expanded business enterprises  
2 and commercial activity within the land-locked community.

3 SECTION 3. The changes in law made by this Act to Sections 2  
4 and 4B, Development Corporation Act of 1979 (Article 5190.6,  
5 Vernon's Texas Civil Statutes), apply only to a project that is  
6 undertaken or approved, by an election or otherwise, on or after the  
7 effective date of this Act. A project that is undertaken or  
8 approved before the effective date of this Act is governed by the  
9 law in effect on the date the project is undertaken or approved, and  
10 the former law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2005.