

1-1 By: Seliger S.B. No. 1304  
1-2 (In the Senate - Filed March 9, 2005; March 21, 2005, read  
1-3 first time and referred to Subcommittee on Emerging Technologies  
1-4 and Economic Development; April 25, 2005, reported adversely, with  
1-5 favorable Committee Substitute to Committee on Business and  
1-6 Commerce; April 28, 2005, reported adversely, with favorable  
1-7 Committee Substitute from Committee on Business and Commerce by the  
1-8 following vote: Yeas 8, Nays 0; April 28, 2005, sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 1304 By: Brimer

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to projects that may be undertaken by certain development  
1-13 corporations with respect to business enterprises or business  
1-14 development.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Subdivision (11), Section 2, Development  
1-17 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
1-18 Statutes), is amended to read as follows:

1-19 (11) ~~[(A)]~~ "Project" shall mean:

1-20 (A) the land, buildings, equipment, facilities,  
1-21 expenditures, targeted infrastructure, and improvements (one or  
1-22 more) that are for the creation or retention of primary jobs and  
1-23 that are found by the board of directors to be required or suitable  
1-24 for the development, retention, or expansion of manufacturing and  
1-25 industrial facilities, research and development facilities,  
1-26 transportation facilities (including but not limited to airports,  
1-27 ports, mass commuting facilities, and parking facilities), sewage  
1-28 or solid waste disposal facilities, recycling facilities, air or  
1-29 water pollution control facilities, facilities for the furnishing  
1-30 of water to the general public, distribution centers, small  
1-31 warehouse facilities capable of serving as decentralized storage  
1-32 and distribution centers, primary job training facilities for use  
1-33 by institutions of higher education, and regional or national  
1-34 corporate headquarters facilities; ~~[-]~~

1-35 (B) ~~["Project" also includes]~~ job training  
1-36 required or suitable for the promotion of development and expansion  
1-37 of business enterprises and other enterprises described by this  
1-38 Act, as provided by Section 38 of this Act; ~~or [-]~~

1-39 (C) ~~["Project" also includes]~~ expenditures found  
1-40 by the board of directors to be required or suitable for  
1-41 infrastructure necessary to promote or develop new or expanded  
1-42 business enterprises limited to streets and roads, rail spurs,  
1-43 water and sewer utilities, electric utilities, gas utilities,  
1-44 drainage, site improvements, and related improvements, and  
1-45 telecommunications and Internet improvements.

1-46 SECTION 2. Subsection (a), Section 4B, Development  
1-47 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
1-48 Statutes), is amended by adding Subdivision (3) to read as follows:

1-49 (3) For a corporation created by an eligible city with  
1-50 a population of 20,000 or less, "project" shall also include the  
1-51 land, buildings, equipment, facilities, expenditures, targeted  
1-52 infrastructure, and improvements found by the board of directors to  
1-53 promote new or expanded business development.

1-54 SECTION 3. Subsection (a), Section 40, Development  
1-55 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
1-56 Statutes), is amended to read as follows:

1-57 (a) A corporation created under this Act may not provide a  
1-58 direct incentive to or make an expenditure on behalf of a business  
1-59 enterprise under a project as defined by Section 2 or 4B(a)(2) or  
1-60 (3) of this Act unless the corporation enters into a performance  
1-61 agreement with the business enterprise.

1-62 SECTION 4. This Act takes effect September 1, 2005.

