

BILL ANALYSIS

H.B. 3879
By: Menendez
Defense Affairs & State-Federal Relations
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law currently authorizes the creation of defense base development authorities for the purpose of re-developing military facilities impacted by the federal Base Realignment and Closure process (BRAC).

House Bill 3879 modifies provisions of the Local Government Code that govern these authorities to clarify their ability to engage in world trade through national and international agreements. The bill also resolves some minor conflicts in the language of the statute governing the exercise of eminent domain by an authority, and allows participation by authority board members in hearings by telephone.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 3879 amends the Local Government Code to allow an authority to establish and operate an inland port and related port facilities to engage in world trade, and enter into agreements advancing world trade.

HB 3879 amends the Local Government Code to clarify that an authority may exercise eminent domain within the base property or in an area surrounding the base property only as provided in Chapter 21, Property Code, and makes conforming changes.

Further, HB 3879 amends the Local Government Code to allow an exception to Chapter 551, Government Code, and other law, to allow members of a board or committee of the authority to participate in a public meeting of the authority by telephone conference call if the president, vice-president, chairperson or vice chairperson of the board or committee is physically present at the public meeting and requires that a meeting held by use of telephone conference call be subject to the same notice requirements as other meetings including location, must be open to the public, and must provide two-way audio communication between all board or committee members participating in the meeting.

HB 3879 clarifies that any redevelopment project authorized by the authority must relate directly to the purposes and goals of the authority rather than simply be on the authority's property or in the areas surrounding the authority's property.

EFFECTIVE DATE

September 1, 2007.