

## **BILL ANALYSIS**

Senate Research Center

S.B. 1237  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1237 authorizes a defense base development authority, established for the purpose of re-developing military facilities impacted by the federal base realignment and closure, to establish and operate an inland port and related port facilities in order to engage in and enter into agreements enhancing world trade. The bill also resolves a minor conflicts in the language of the statute governing an authority's exercise of eminent domain, and further restricts the use of such power in order to ensure that it is used only in connection with projects meeting the statutory purposes of the authority. The bill does not change the requirement that the city council that created the authority must approve any such exercise of eminent domain. The bill also provides that the members of a board or committee of the authority are authorized to participate in a public meeting of the authority by telephone if the president, vice-president, chairperson, or vice-chairperson of the board or committee is physically present at the public meeting and requires that such a meeting be subject to the same notice requirements as any other open meeting.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 379B, Local Government Code, by adding Section 379B.0041, as follows:

Sec. 379B.0041. INLAND PORT AND TRADE POWERS. Authorizes a defense base development authority (authority) to establish and operate an inland port and related port facilities to engage in world trade, and to participate in national and international agreements advancing world trade at the port.

SECTION 2. Amends Section 379B.0045, Local Government Code, as follows:

Sec. 379B.0045. EMINENT DOMAIN. (a) Makes nonsubstantive changes.

(b) Makes nonsubstantive changes, including a nonsubstantive reference change to a renumbered statute.

SECTION 3. Amends Chapter 379B, Local Government Code, by adding Section 379B.0085, as follows:

Sec. 379B.0085. HEARINGS BY TELEPHONE OR SIMILAR MEANS. (a) Authorizes any number of members of a board of directors of an authority (board) or committee to attend a board or committee meeting by use of telephone conference call, video conference call, or other similar telecommunication device if the president, vice president, chairperson, or vice chairperson of a board or board committee is physically present at a meeting of the board or committee, as an exception to Chapter 551 (Open Meetings), Government Code, and other law. Provides that this subsection applies for purposes of constituting a quorum, voting, and any other purpose which authorizes a board or committee member to otherwise fully participate in a board or committee meeting, and without exception regarding the subject of the meeting or topics considered by members.

(b) Sets forth the requirements of a meeting held by use of telephone conference call, video conference call, or other similar telecommunication device.

SECTION 4. Amends Section 379B.009(a), Local Government Code, to make a nonsubstantive change.

SECTION 5. Provides that the change in law made by Section 379B.0085, Local Government Code, as added by this Act, applies only to meetings of a board or board committee occurring on or after the effective date of this Act.

SECTION 6. Effective date: September 1, 2007.