

BILL ANALYSIS

S.B. 2052
By: Estes
Technology, Economic Development & Workforce
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Development Corporation Act, recently codified as Subtitle C1, Local Government Code, is the organizing law used by hundreds of Texas municipalities to foster economic development. Currently, the term "inland port" is not included in the definition of a transportation facility under provisions governing development corporations. Since the passage of H.B. 3440, 80th Legislature, Regular Session, 2007, relating to development corporations and airport facilities, economic development professionals have learned that including this term in the definition of transportation facility would help to retain and create additional economic development projects across Texas.

S.B. 2052 includes "inland port" in the definition of a transportation facility, for purposes of projects that may be undertaken by development corporations and gives effect to changes made by Chapter 1102 (H.B. 3440), Acts of the 80th Legislature, Regular Session, 2007.

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

S.B. 2052 amends the Local Government Code to amend the definition of "project" for purposes of projects that may be undertaken by development corporations for the development, retention, or expansion of transportation facilities and for purposes of projects related to airport facilities that may be undertaken by a Type B corporation if certain conditions are met. The bill adds railports and railport facilities, respectively, to the definition of "project" for both purposes, and it removes language that made maintenance and repair facilities and cargo facilities relate only to air transportation for both purposes. The bill adds language to make related infrastructure located on or adjacent to an airport facility also relate to a railport facility for both purposes. The bill adds rail switching facilities and inland ports to the definition of "project" affecting all development corporations, and it specifies that ports are marine ports in that definition. The bill provides that its provisions give effect to changes made by Chapter 1102 (H.B. 3440), Acts of the 80th Legislature, Regular Session, 2007, and that to the extent of any conflict, this bill prevails over another act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes.

EFFECTIVE DATE

September 1, 2009.