

By: Mallory Caraway

H.B. No. 1052

Substitute the following for H.B. No. 1052:

By: Pierson

C.S.H.B. No. 1052

A BILL TO BE ENTITLED

AN ACT

relating to the creation, powers, and duties of film districts.

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

SECTION 1. Subtitle A, Title 10, Local Government Code, is amended by adding Chapter 310 to read as follows:

CHAPTER 310. FILM DISTRICTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 310.001. DEFINITIONS. In this chapter:

(1) "Board" means a district's board of directors.

(2) "District" means a film district created under this chapter.

Sec. 310.002. NATURE OF DISTRICT. A district is a political subdivision of this state and a special district.

[Sections 310.003-310.050 reserved for expansion]

SUBCHAPTER B. CREATION

Sec. 310.051. CREATION BY POPULOUS MUNICIPALITY. A municipality with a population of 250,000 or more may create a district as provided by this subchapter to promote the film industry in a designated area in the municipality.

Sec. 310.052. HEARING. Before creating a district, the governing body of a municipality must hold a hearing on the purposes and advisability of creating the district. Any interested person may speak at the hearing.

Sec. 310.053. ORDER CREATING DISTRICT; INITIAL DIRECTORS.

1 (a) After a hearing under Section 310.052, if a governing body
2 finds that the municipality and the designated area would benefit
3 from the district's creation, the governing body by order may
4 create the district.

5 (b) The order must specify:

6 (1) the district's boundaries, which must be wholly in
7 the municipality;

8 (2) the number and qualifications of directors to be
9 appointed under Section 310.103; and

10 (3) the initial directors and the terms of those
11 initial directors.

12 (c) The initial directors' terms must be staggered, with as
13 near as possible to half of the directors' terms expiring in one
14 year and the remainder expiring in two years.

15 [Sections 310.054-310.100 reserved for expansion]

16 SUBCHAPTER C. BOARD OF DIRECTORS

17 Sec. 310.101. GOVERNING BODY. A district is governed by a
18 board of at least seven directors.

19 Sec. 310.102. TERMS. Directors serve staggered two-year
20 terms.

21 Sec. 310.103. APPOINTMENT BY MUNICIPALITY. The governing
22 body of a municipality that creates a district shall appoint the
23 directors as provided by the order creating the district. The
24 directors must include:

25 (1) two directors who represent the interests of the
26 municipality and reside in the municipality;

27 (2) one director who represents a local or regional

1 film commission located in the municipality and is a member of the
2 Association of Film Commissioners International or the Texas
3 Association of Film Commissions;

4 (3) one director who represents a school district that
5 has the majority of its territory located in the municipality;

6 (4) one director who represents an institution of
7 higher education, as defined by Section 61.003, Education Code,
8 located in the municipality;

9 (5) one director who represents a public junior
10 college, as defined by Section 61.003, Education Code, located in
11 the municipality; and

12 (6) any other directors as provided by the order
13 creating the district.

14 Sec. 310.104. COMPENSATION; EXPENSES. A director is not
15 entitled to compensation but is entitled to reimbursement for
16 actual and necessary expenses.

17 Sec. 310.105. OFFICERS. A board shall elect a presiding
18 officer, secretary, treasurer, and any other officers the board
19 considers necessary.

20 [Sections 310.106-310.150 reserved for expansion]

21 SUBCHAPTER D. POWERS AND DUTIES

22 Sec. 310.151. PROMOTION OF FILM INDUSTRY. A district shall
23 promote the film industry in the district.

24 Sec. 310.152. PARTNERSHIP WITH LOCAL COMMUNITIES. A
25 district shall act jointly with the municipality, local businesses,
26 the film industry, and other local communities to promote the film
27 industry in the district.

1 Sec. 310.153. INCENTIVES. A district may provide
2 incentives to promote the film industry in the district.

3 Sec. 310.154. DONATIONS; GRANTS. A district may accept a
4 donation or grant from any person for any district purpose.

5 Sec. 310.155. EXECUTIVE DIRECTOR; EMPLOYEES. A district
6 may hire an executive director and other employees.

7 [Sections 310.156-310.200 reserved for expansion]

8 SUBCHAPTER E. FINANCIAL PROVISIONS

9 Sec. 310.201. BORROWING. A district may borrow money from
10 any person for any district purpose.

11 Sec. 310.202. ELIGIBILITY FOR INCLUSION IN TAX INCREMENT
12 REINVESTMENT ZONE. All or any part of the district is eligible to
13 be included in a tax increment reinvestment zone created under
14 Chapter 311, Tax Code.

15 [Sections 310.203-310.250 reserved for expansion]

16 SUBCHAPTER F. DISSOLUTION

17 Sec. 310.251. DISSOLUTION. A board may dissolve a district
18 that has no debt.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2009.