

1-1 By: Mallory Caraway (Senate Sponsor - Deuell) H.B. No. 1052
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on Economic
1-4 Development; May 22, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation, powers, and duties of film districts.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subtitle A, Title 10, Local Government Code, is
1-11 amended by adding Chapter 310 to read as follows:

1-12 CHAPTER 310. FILM DISTRICTS

1-13 SUBCHAPTER A. GENERAL PROVISIONS

1-14 Sec. 310.001. DEFINITIONS. In this chapter:

1-15 (1) "Board" means a district's board of directors.

1-16 (2) "District" means a film district created under
1-17 this chapter.

1-18 Sec. 310.002. NATURE OF DISTRICT. A district is a political
1-19 subdivision of this state and a special district.

1-20 [Sections 310.003-310.050 reserved for expansion]

1-21 SUBCHAPTER B. CREATION

1-22 Sec. 310.051. CREATION BY POPULOUS MUNICIPALITY. A
1-23 municipality with a population of 250,000 or more may create a
1-24 district as provided by this subchapter to promote the film
1-25 industry in a designated area in the municipality.

1-26 Sec. 310.052. HEARING. Before creating a district, the
1-27 governing body of a municipality must hold a hearing on the purposes
1-28 and advisability of creating the district. Any interested person
1-29 may speak at the hearing.

1-30 Sec. 310.053. ORDER CREATING DISTRICT; INITIAL DIRECTORS.

1-31 (a) After a hearing under Section 310.052, if a governing body
1-32 finds that the municipality and the designated area would benefit
1-33 from the district's creation, the governing body by order may
1-34 create the district.

1-35 (b) The order must specify:

1-36 (1) the district's boundaries, which must be wholly in
1-37 the municipality;

1-38 (2) the number and qualifications of directors to be
1-39 appointed under Section 310.103; and

1-40 (3) the initial directors and the terms of those
1-41 initial directors.

1-42 (c) The initial directors' terms must be staggered, with as
1-43 near as possible to half of the directors' terms expiring in one
1-44 year and the remainder expiring in two years.

1-45 [Sections 310.054-310.100 reserved for expansion]

1-46 SUBCHAPTER C. BOARD OF DIRECTORS

1-47 Sec. 310.101. GOVERNING BODY. A district is governed by a
1-48 board of at least seven directors.

1-49 Sec. 310.102. TERMS. Directors serve staggered two-year
1-50 terms.

1-51 Sec. 310.103. APPOINTMENT BY MUNICIPALITY. The governing
1-52 body of a municipality that creates a district shall appoint the
1-53 directors as provided by the order creating the district. The
1-54 directors must include:

1-55 (1) two directors who represent the interests of the
1-56 municipality and reside in the municipality;

1-57 (2) one director who represents a local or regional
1-58 film commission located in the municipality and is a member of the
1-59 Association of Film Commissioners International or the Texas
1-60 Association of Film Commissions;

1-61 (3) one director who represents a school district that
1-62 has the majority of its territory located in the municipality;

1-63 (4) one director who represents an institution of
1-64 higher education, as defined by Section 61.003, Education Code,

2-1 located in the municipality;
2-2 (5) one director who represents a public junior
2-3 college, as defined by Section 61.003, Education Code, located in
2-4 the municipality; and

2-5 (6) any other directors as provided by the order
2-6 creating the district.

2-7 Sec. 310.104. COMPENSATION; EXPENSES. A director is not
2-8 entitled to compensation but is entitled to reimbursement for
2-9 actual and necessary expenses.

2-10 Sec. 310.105. OFFICERS. A board shall elect a presiding
2-11 officer, secretary, treasurer, and any other officers the board
2-12 considers necessary.

2-13 [Sections 310.106-310.150 reserved for expansion]

2-14 SUBCHAPTER D. POWERS AND DUTIES

2-15 Sec. 310.151. PROMOTION OF FILM INDUSTRY. A district shall
2-16 promote the film industry in the district.

2-17 Sec. 310.152. PARTNERSHIP WITH LOCAL COMMUNITIES. A
2-18 district shall act jointly with the municipality, local businesses,
2-19 the film industry, and other local communities to promote the film
2-20 industry in the district.

2-21 Sec. 310.153. INCENTIVES. A district may provide
2-22 incentives to promote the film industry in the district.

2-23 Sec. 310.154. DONATIONS; GRANTS. A district may accept a
2-24 donation or grant from any person for any district purpose.

2-25 Sec. 310.155. EXECUTIVE DIRECTOR; EMPLOYEES. A district
2-26 may hire an executive director and other employees.

2-27 [Sections 310.156-310.200 reserved for expansion]

2-28 SUBCHAPTER E. FINANCIAL PROVISIONS

2-29 Sec. 310.201. BORROWING. A district may borrow money from
2-30 any person for any district purpose.

2-31 Sec. 310.202. ELIGIBILITY FOR INCLUSION IN TAX INCREMENT
2-32 REINVESTMENT ZONE. All or any part of the district is eligible to
2-33 be included in a tax increment reinvestment zone created under
2-34 Chapter 311, Tax Code.

2-35 [Sections 310.203-310.250 reserved for expansion]

2-36 SUBCHAPTER F. DISSOLUTION

2-37 Sec. 310.251. DISSOLUTION. A board may dissolve a district
2-38 that has no debt.

2-39 SECTION 2. This Act takes effect immediately if it receives
2-40 a vote of two-thirds of all the members elected to each house, as
2-41 provided by Section 39, Article III, Texas Constitution. If this
2-42 Act does not receive the vote necessary for immediate effect, this
2-43 Act takes effect September 1, 2009.

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