

By: Frost

H.B. No. 2551

A BILL TO BE ENTITLED

AN ACT

relating to certain powers of the Red River Redevelopment Authority.

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

SECTION 1. Section 3503.005, Special District Local Laws Code, is amended to read as follows:

Sec. 3503.005. EXPANSION OF TERRITORY. The authority's territory may be expanded as additional:

(1) real property is conveyed or leased to the authority by the United States; or

(2) counties or municipalities approve annexations.

SECTION 2. Section 3503.101(b), Special District Local Laws Code, is amended to read as follows:

(b) The authority may exercise any power or duty necessary or appropriate to carry out a project described by Section 3503.003(a)(3) and the purposes of this chapter, including the power to:

(1) sue and be sued, and plead and be impleaded, in its own name;

(2) adopt an official seal;

(3) adopt, enforce, and amend rules for the conduct of its affairs;

(4) acquire, hold, own, pledge, and dispose of its revenue, income, receipts, and money from any source;

- 1 (5) select its depository;
- 2 (6) acquire, own, rent, lease, accept, hold, or
- 3 dispose of any property, or any interest in property, including
- 4 rights or easements, in performing its duties and exercising its
- 5 powers under this chapter, by purchase, exchange, gift, assignment,
- 6 sale, lease, or other method;
- 7 (7) hold, manage, operate, or improve the property;
- 8 (8) sell, assign, lease, encumber, mortgage, or
- 9 otherwise dispose of property, or any interest in property, and
- 10 relinquish a property right, title, claim, lien, interest,
- 11 easement, or demand, however acquired;
- 12 (9) perform an activity authorized by Subdivision (8)
- 13 by public or private sale, with or without public bidding,
- 14 notwithstanding any other law;
- 15 (10) lease or rent any land and building, structure,
- 16 or facility from or to any person to carry out a chapter purpose;
- 17 (11) request and accept an appropriation, grant,
- 18 allocation, subsidy, guarantee, aid, service, labor, material, or
- 19 gift, from the federal government, the state, a public agency or
- 20 political subdivision, or any other source;
- 21 (12) operate and maintain an office and appoint and
- 22 determine the duties, tenure, qualifications, and compensation of
- 23 officers, employees, agents, professional advisors and counselors,
- 24 including financial consultants, accountants, attorneys,
- 25 architects, engineers, appraisers, and financing experts, as
- 26 considered necessary or advisable by the board;
- 27 (13) borrow money and issue bonds, payable solely from

1 all or a portion of any authority revenue, by resolution or order of
2 the board and without the necessity of an election;

3 (14) set and collect rents, rates, fees, and charges
4 regarding the property and any services provided by the authority;

5 (15) exercise the powers Chapters 373 and 380, Local
6 Government Code, grant to a municipality for the development of
7 housing and expansion of economic development and commercial
8 activity;

9 (16) exercise the powers Chapter 49, Water Code,
10 grants to a general-law district;

11 (17) exercise the powers Chapter 54, Water Code,
12 grants to a municipal utility district;

13 (18) exercise the powers Chapter 441, Transportation
14 Code, grants to a road utility district;

15 (19) exercise the powers Subchapter C, Chapter 271,
16 Local Government Code, grants to a municipality or county;

17 (20) exercise the powers Chapter 402, Local Government
18 Code, grants to a municipality for the provision of municipal
19 utilities;

20 (21) contract and be contracted with, in the
21 authority's own name, another person in the performance of the
22 authority's powers or duties to carry out a project described by
23 Section 3503.003(a)(3), or to accomplish the purposes of this
24 chapter for a period of years, on the terms, and by competitive
25 bidding or by negotiated contract, all as the board considers
26 appropriate, desirable, and in the best interests of the authority
27 and the accomplishment of chapter purposes; ~~and~~

1 (22) acquire, hold, own, sell, assign, lease,
2 encumber, mortgage, or otherwise dispose of any real, personal, or
3 mixed property located outside the perimeter of the property
4 described by Section 3503.004 if the other property enhances or
5 facilitates the development, redevelopment, maintenance, or
6 expansion of new and existing businesses, industry, or commercial
7 activity on the property;

8 (23) exercise the powers Chapter 22, Transportation
9 Code, grants to a municipality or county; and

10 (24) exercise the powers Section 379B.0041 grants to a
11 defense base development authority.

12 SECTION 3. Section 3503.103, Special District Local Laws
13 Code, is amended to read as follows:

14 Sec. 3503.103. WATER, SEWER, TELECOMMUNICATIONS, AND
15 NATURAL GAS PROJECTS; EMINENT DOMAIN. (a) The authority may
16 undertake a project under Section 3503.003(a)(3) to develop water,
17 sewer, telecommunications, including fiber optics, and natural gas
18 projects to benefit the authority.

19 (b) The authority may exercise the power of eminent domain
20 for a project under this section but only in relation to land or
21 other property located in Bowie County.

22 SECTION 4. Subchapter C, Chapter 3503, Special District
23 Local Laws Code, is amended by adding Section 3503.109 to read as
24 follows:

25 Sec. 3503.109. INDEMNITY. The authority may indemnify an
26 authority employee or board member or former authority employee or
27 board member for necessary expenses and costs, including attorney's

1 fees, incurred by that person in connection with a claim asserted
2 against that person if:

3 (1) the claim relates to an act or omission of the
4 person when acting in the scope of the person's board membership or
5 authority employment; and

6 (2) the person has not been found liable or guilty on
7 the claim.

8 SECTION 5. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2009.