

1-1 By: Frost (Senate Sponsor - Eltife) H.B. No. 3802
1-2 (In the Senate - Received from the House May 6, 2009;
1-3 May 7, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported favorably by
1-5 the following 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 certain powers of the Red River Redevelopment
1-9 Authority.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 3503.005, Special District Local Laws
1-12 Code, is amended to read as follows:

1-13 Sec. 3503.005. EXPANSION OF TERRITORY. The authority's
1-14 territory may be expanded as additional:

1-15 (1) real property is conveyed or leased to the
1-16 authority by the United States; or

1-17 (2) counties or municipalities approve annexations.

1-18 SECTION 2. Section 3503.101(b), Special District Local Laws
1-19 Code, is amended to read as follows:

1-20 (b) The authority may exercise any power or duty necessary
1-21 or appropriate to carry out a project described by Section
1-22 3503.003(a)(3) and the purposes of this chapter, including the
1-23 power to:

1-24 (1) sue and be sued, and plead and be impleaded, in its
1-25 own name;

1-26 (2) adopt an official seal;

1-27 (3) adopt, enforce, and amend rules for the conduct of
1-28 its affairs;

1-29 (4) acquire, hold, own, pledge, and dispose of its
1-30 revenue, income, receipts, and money from any source;

1-31 (5) select its depository;

1-32 (6) acquire, own, rent, lease, accept, hold, or
1-33 dispose of any property, or any interest in property, including
1-34 rights or easements, in performing its duties and exercising its
1-35 powers under this chapter, by purchase, exchange, gift, assignment,
1-36 sale, lease, or other method;

1-37 (7) hold, manage, operate, or improve the property;

1-38 (8) sell, assign, lease, encumber, mortgage, or
1-39 otherwise dispose of property, or any interest in property, and
1-40 relinquish a property right, title, claim, lien, interest,
1-41 easement, or demand, however acquired;

1-42 (9) perform an activity authorized by Subdivision (8)
1-43 by public or private sale, with or without public bidding,
1-44 notwithstanding any other law;

1-45 (10) lease or rent any land and building, structure,
1-46 or facility from or to any person to carry out a chapter purpose;

1-47 (11) request and accept an appropriation, grant,
1-48 allocation, subsidy, guarantee, aid, service, labor, material, or
1-49 gift, from the federal government, the state, a public agency or
1-50 political subdivision, or any other source;

1-51 (12) operate and maintain an office and appoint and
1-52 determine the duties, tenure, qualifications, and compensation of
1-53 officers, employees, agents, professional advisors and counselors,
1-54 including financial consultants, accountants, attorneys,
1-55 architects, engineers, appraisers, and financing experts, as
1-56 considered necessary or advisable by the board;

1-57 (13) borrow money and issue bonds, payable solely from
1-58 all or a portion of any authority revenue, by resolution or order of
1-59 the board and without the necessity of an election;

1-60 (14) set and collect rents, rates, fees, and charges
1-61 regarding the property and any services provided by the authority;

1-62 (15) exercise the powers Chapters 373 and 380, Local
1-63 Government Code, grant to a municipality for the development of
1-64 housing and expansion of economic development and commercial

2-1 activity;

2-2 (16) exercise the powers Chapter 49, Water Code,

2-3 grants to a general-law district;

2-4 (17) exercise the powers Chapter 54, Water Code,

2-5 grants to a municipal utility district;

2-6 (18) exercise the powers Chapter 552, Transportation

2-7 Code, grants to a road utility district;

2-8 (19) exercise the powers Subchapter C, Chapter 271,

2-9 Local Government Code, grants to a municipality or county;

2-10 (20) exercise the powers Chapter 402, Local Government

2-11 Code, grants to a municipality for the provision of municipal

2-12 utilities;

2-13 (21) contract and be contracted with, in the

2-14 authority's own name, another person in the performance of the

2-15 authority's powers or duties to carry out a project described by

2-16 Section 3503.003(a)(3), or to accomplish the purposes of this

2-17 chapter for a period of years, on the terms, and by competitive

2-18 bidding or by negotiated contract, all as the board considers

2-19 appropriate, desirable, and in the best interests of the authority

2-20 and the accomplishment of chapter purposes; ~~and~~

2-21 (22) acquire, hold, own, sell, assign, lease,

2-22 encumber, mortgage, or otherwise dispose of any real, personal, or

2-23 mixed property located outside the perimeter of the property

2-24 described by Section 3503.004 if the other property enhances or

2-25 facilitates the development, redevelopment, maintenance, or

2-26 expansion of new and existing businesses, industry, or commercial

2-27 activity on the property;

2-28 (23) exercise the powers Chapter 22, Transportation

2-29 Code, grants to a municipality or county;

2-30 (24) exercise the powers Chapter 379B, Local

2-31 Government Code, grants to a defense base development authority;

2-32 and

2-33 (25) exercise the powers of a municipality under

2-34 Chapters 211 and 212, Local Government Code, in the territory of the

2-35 authority, including an area of the authority that is in the

2-36 boundaries of a municipality's limited purpose jurisdiction and

2-37 extraterritorial jurisdiction. On annexation of an area of the

2-38 authority for full purposes by a municipality, the authority's

2-39 power to regulate the area under Chapters 211 and 212 expires. The

2-40 authority regains the power in an area if the municipality

2-41 disannexes the area.

2-42 SECTION 3. Subchapter C, Chapter 3503, Special District

2-43 Local Laws Code, is amended by adding Section 3503.109 to read as

2-44 follows:

2-45 Sec. 3503.109. INDEMNITY. The authority may indemnify an

2-46 authority employee or board member or former authority employee or

2-47 board member for necessary expenses and costs, including attorney's

2-48 fees, incurred by that person in connection with a claim asserted

2-49 against that person if:

2-50 (1) the claim relates to an act or omission of the

2-51 person when acting in the scope of the person's board membership or

2-52 authority employment; and

2-53 (2) the person has not been found liable or guilty on

2-54 the claim.

2-55 SECTION 4. This Act takes effect immediately if it receives

2-56 a vote of two-thirds of all the members elected to each house, as

2-57 provided by Section 39, Article III, Texas Constitution. If this

2-58 Act does not receive the vote necessary for immediate effect, this

2-59 Act takes effect September 1, 2009.

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