

By: Rodriguez

H.B. No. 3983

A BILL TO BE ENTITLED

AN ACT

relating to certain homestead preservation reinvestment zones.

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

SECTION 1. Section 373A.155(b), Local Government Code, is amended to read as follows:

(b) The county shall pay into the tax increment fund for the zone an amount equal to the tax increment paid by the municipality multiplied by a fraction, the numerator of which is the county tax rate for the year and the denominator of which is the municipal tax rate for the year [~~as specified in the order adopted under Section 373A.1522~~].

SECTION 2. Section 373A.1522, Local Government Code, is amended to read as follows:

Sec. 373A.1522. EFFECTIVE DATE OF ZONE. The zone designated by the ordinance adopted under Section 373A.1521 takes effect on the date on which the county adopts a final order[+

~~(1)]~~ agreeing to the creation of the zone, the zone boundaries, and the zone termination date specified by the municipality under Section 373A.1521(1) [~~, and~~

~~(2) specifying an amount of tax increment to be deposited by the county into the tax increment fund that is equal to the amount of the tax increment specified by the municipality under Section 373A.1521(3)]~~.

SECTION 3. Subchapter D, Chapter 373A, Local Government

1 Code, is amended by adding Section 373A.159 to read as follows:

2 Sec. 373A.159. COMPOSITION OF BOARD OF DIRECTORS OF
3 HOMESTEAD PRESERVATION REINVESTMENT ZONES. (a) Notwithstanding
4 Chapter 311, Tax Code, the board of directors of a homestead
5 preservation reinvestment zone consists of at least 5 and not more
6 than 15 members, unless more than 15 members are required to satisfy
7 the requirements of this section.

8 (b) The municipality and county that approve the payment of
9 all or part of the tax increment into the tax increment fund each
10 may appoint a number of members to the board in proportion to the
11 taxing unit's pro rata share of the total anticipated tax increment
12 to be deposited into the tax increment fund during the term of the
13 zone. In determining the number of members the municipality or
14 county may appoint to the board, the municipality's or county's
15 percentage of anticipated pro rata contributions to the tax
16 increment fund is multiplied by the number of members of the board,
17 and a number containing a fraction that is one-half or greater shall
18 be rounded up to the next whole number. The municipality that
19 designated the zone is entitled to appoint at least as many members
20 of the board as the county.

21 (c) Notwithstanding Subsection (b), the ordinance
22 establishing the reinvestment zone may authorize any other taxing
23 unit the territory of which wholly or partly includes the
24 reinvestment zone to appoint one member of the board, in addition to
25 the members appointed under Subsection (b).

26 (d) Members of the board are appointed for terms of two
27 years unless longer terms are provided under Section 11, Article

1 XI, Texas Constitution. Terms of members may be staggered.

2 (e) A vacancy on the board is filled for the unexpired term
3 by appointment of the governing body of the taxing unit that
4 appointed the director who served in the vacant position.

5 (f) To be eligible for appointment to the board, an
6 individual must:

7 (1) be a qualified voter of the municipality; or

8 (2) be at least 18 years of age and own real property
9 in the zone or be an employee or agent of a person that owns real
10 property in the zone.

11 (g) Each year the board of directors of a reinvestment zone
12 shall elect one of its members to serve as presiding officer for a
13 term of one year. The board of directors may elect an assistant
14 presiding officer to preside in the absence of the presiding
15 officer or when there is a vacancy in the office of presiding
16 officer. The board may elect other officers as it considers
17 appropriate.

18 (h) A member of the board of directors of a homestead
19 preservation reinvestment zone:

20 (1) is not a public official by virtue of that
21 position; and

22 (2) unless otherwise ineligible, may be appointed to
23 serve concurrently on the board of directors of a local government
24 corporation created under Subchapter D, Chapter 431,
25 Transportation Code.

26 SECTION 4. This Act takes effect September 1, 2009.