

1-1 By: Hinojosa S.B. No. 835
1-2 (In the Senate - Filed February 13, 2009; March 4, 2009, read
1-3 first time and referred to Subcommittee on Base Realignment and
1-4 Closure; April 6, 2009, reported adversely, with favorable
1-5 Committee Substitute from Committee on Veteran Affairs and Military
1-6 Installations by the following vote: Yeas 4, Nays 0;
1-7 April 6, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.B. No. 835 By: Shapleigh

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to powers of the Port of Corpus Christi Authority of Nueces
1-12 County, Texas, pertaining to land in and adjacent to Naval Station
1-13 Ingleside.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Chapter 397, Acts of the 68th Legislature,
1-16 Regular Session, 1983, is amended by amending Section 1 and adding
1-17 Sections 1A and 4B to read as follows:

1-18 Sec. 1. DEFINITIONS. In this Act:

1-19 (1) "Adjacent property" means the approximately 433
1-20 acres that the authority owns in San Patricio County that is bounded
1-21 on the east by the western boundary of Naval Station Ingleside, on
1-22 the north by Farm-to-Market Road 1069, on the west by the city
1-23 limits of the City of Ingleside on the Bay, and on the south by the
1-24 city limits of the City of Ingleside on the Bay and the north
1-25 shoreline of Corpus Christi Bay. The term does not include property
1-26 that the authority purchased from this state under Article 8225,
1-27 Revised Statutes, or that was granted to the authority by this state
1-28 under any general or special Act.

1-29 (2) "Authority" means the Port of Corpus Christi
1-30 Authority of Nueces County, Texas.

1-31 (3) "Naval property" means:

1-32 (A) the approximately 576.615 acres of land and
1-33 submerged land in San Patricio and Nueces Counties, improvements,
1-34 and personal property, if any, that revert to the authority when
1-35 Naval Station Ingleside closes; and

1-36 (B) the adjacent property.

1-37 (4) "Port commission" means the governing body of the
1-38 authority.

1-39 Sec. 1A. COMPOSITION OF PORT COMMISSION. The port
1-40 commission ~~[of the Port of Corpus Christi Authority of Nueces~~
1-41 ~~County, Texas,]~~ is composed of seven members.

1-42 Sec. 4B. USE AND DISPOSITION OF NAVAL PROPERTY. (a) The
1-43 authority may use the naval property in ways that replace and
1-44 enhance the economic benefits generated by Naval Station Ingleside
1-45 through diversified activities, including uses to foster:

1-46 (1) the creation and retention of new jobs;

1-47 (2) economic development;

1-48 (3) industry;

1-49 (4) commerce;

1-50 (5) manufacturing;

1-51 (6) housing;

1-52 (7) recreation; and

1-53 (8) the installation of infrastructure on the naval
1-54 property.

1-55 (b) The authority may contract with another person for
1-56 assistance in accomplishing the purposes of this section by
1-57 competitive bidding or negotiated contract as the port commission
1-58 considers appropriate, desirable, and in the best interests of the
1-59 authority.

1-60 (c) The port commission may declare any portion of the naval
1-61 property not needed for a navigation-related project surplus
1-62 property and may sell or lease the surplus property on terms the
1-63 port commission considers advisable to carry out the purposes of

2-1 this Act.

2-2 (d) Notwithstanding any other law, and subject to the terms
2-3 of this subsection, the authority may sell or lease property
2-4 declared surplus under this section with or without public bidding.
2-5 Naval property declared surplus under this section may not be sold
2-6 in a private sale for less than its fair market value. The
2-7 authority shall obtain an appraisal of the surplus property, and
2-8 the appraisal is conclusive evidence of the surplus property's fair
2-9 market value.

2-10 (e) This section is cumulative of and in addition to other
2-11 law applicable to or affecting the authority. This section does not
2-12 limit the power of the authority to use other law not in conflict
2-13 with this Act to the extent necessary or convenient to carry out a
2-14 power expressly or impliedly granted by this section.

2-15 SECTION 2. This Act takes effect immediately if it receives
2-16 a vote of two-thirds of all the members elected to each house, as
2-17 provided by Section 39, Article III, Texas Constitution. If this
2-18 Act does not receive the vote necessary for immediate effect, this
2-19 Act takes effect September 1, 2009.

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