

By: Hinojosa

S.B. No. 1035

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the cities or counties that may create a cultural
3 education facilities finance corporation.

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

5 SECTION 1. Subsection (d), Section 4, Cultural Education
6 Facilities Finance Corporation Act (Article 1528m, Vernon's Texas
7 Civil Statutes), is amended to read as follows:

8 (d) Regardless of any provision in Chapter 221, Health and
9 Safety Code, or Chapter 53, Education Code, the authority of the
10 corporation may be exercised inside or outside the limits of the
11 city that created the corporation if the city is located in a county
12 with a population of more than 300,000 [~~400,000~~] or inside or
13 outside the limits of the county that created the corporation if the
14 county has a population of more than 300,000 [~~400,000~~]. The
15 authority may be exercised without the consent or other action of
16 any person that would otherwise be required under Chapter 221,
17 Health and Safety Code, or Chapter 53, Education Code, unless the
18 articles of incorporation or bylaws of the corporation provide
19 differently. The authority of a corporation under this section
20 shall not preempt the police powers of any sponsoring entity or any
21 other laws regulating or empowering sponsoring entities to regulate
22 the activities of the corporation.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.