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

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.

_____   _____
       President of the Senate   Speaker of the House

   I hereby certify that S.B. No. 1035 passed the Senate on
April 16, 2009, by the following vote: Yeas 31, Nays 0.

                                        _____
                                             Secretary of the Senate

   I hereby certify that S.B. No. 1035 passed the House on
May 15, 2009, by the following vote: Yeas 142, Nays 2, one
present not voting.

                                        _____
                                             Chief Clerk of the House

Approved:

_____
            Date

_____
          Governor