

1-1 By: Eltife S.B. No. 1222  
1-2 (In the Senate - Filed March 2, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 28, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 28, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1222 By: Nichols

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to certain powers of the Red River Redevelopment  
1-11 Authority.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 3503.005, Special District Local Laws  
1-14 Code, is amended to read as follows:

1-15 Sec. 3503.005. EXPANSION OF TERRITORY. The authority's  
1-16 territory may be expanded as additional:

1-17 (1) real property is conveyed or leased to the  
1-18 authority by the United States; or

1-19 (2) counties or municipalities approve annexations.

1-20 SECTION 2. Subsection (b), Section 3503.101, Special  
1-21 District Local Laws Code, is amended to read as follows:

1-22 (b) The authority may exercise any power or duty necessary  
1-23 or appropriate to carry out a project described by Section  
1-24 3503.003(a)(3) and the purposes of this chapter, including the  
1-25 power to:

1-26 (1) sue and be sued, and plead and be impleaded, in its  
1-27 own name;

1-28 (2) adopt an official seal;

1-29 (3) adopt, enforce, and amend rules for the conduct of  
1-30 its affairs;

1-31 (4) acquire, hold, own, pledge, and dispose of its  
1-32 revenue, income, receipts, and money from any source;

1-33 (5) select its depository;

1-34 (6) acquire, own, rent, lease, accept, hold, or  
1-35 dispose of any property, or any interest in property, including  
1-36 rights or easements, in performing its duties and exercising its  
1-37 powers under this chapter, by purchase, exchange, gift, assignment,  
1-38 sale, lease, or other method;

1-39 (7) hold, manage, operate, or improve the property;

1-40 (8) sell, assign, lease, encumber, mortgage, or  
1-41 otherwise dispose of property, or any interest in property, and  
1-42 relinquish a property right, title, claim, lien, interest,  
1-43 easement, or demand, however acquired;

1-44 (9) perform an activity authorized by Subdivision (8)  
1-45 by public or private sale, with or without public bidding,  
1-46 notwithstanding any other law;

1-47 (10) lease or rent any land and building, structure,  
1-48 or facility from or to any person to carry out a chapter purpose;

1-49 (11) request and accept an appropriation, grant,  
1-50 allocation, subsidy, guarantee, aid, service, labor, material, or  
1-51 gift, from the federal government, the state, a public agency or  
1-52 political subdivision, or any other source;

1-53 (12) operate and maintain an office and appoint and  
1-54 determine the duties, tenure, qualifications, and compensation of  
1-55 officers, employees, agents, professional advisors and counselors,  
1-56 including financial consultants, accountants, attorneys,  
1-57 architects, engineers, appraisers, and financing experts, as  
1-58 considered necessary or advisable by the board;

1-59 (13) borrow money and issue bonds, payable solely from  
1-60 all or a portion of any authority revenue, by resolution or order of  
1-61 the board and without the necessity of an election;

1-62 (14) set and collect rents, rates, fees, and charges  
1-63 regarding the property and any services provided by the authority;

2-1 (15) exercise the powers Chapters 373 and 380, Local  
2-2 Government Code, grant to a municipality for the development of  
2-3 housing and expansion of economic development and commercial  
2-4 activity;

2-5 (16) exercise the powers Chapter 49, Water Code,  
2-6 grants to a general-law district;

2-7 (17) exercise the powers Chapter 54, Water Code,  
2-8 grants to a municipal utility district;

2-9 (18) exercise the powers Chapter 441, Transportation  
2-10 Code, grants to a road utility district;

2-11 (19) exercise the powers Subchapter C, Chapter 271,  
2-12 Local Government Code, grants to a municipality or county;

2-13 (20) exercise the powers Chapter 402, Local Government  
2-14 Code, grants to a municipality for the provision of municipal  
2-15 utilities;

2-16 (21) contract and be contracted with, in the  
2-17 authority's own name, another person in the performance of the  
2-18 authority's powers or duties to carry out a project described by  
2-19 Section 3503.003(a)(3), or to accomplish the purposes of this  
2-20 chapter for a period of years, on the terms, and by competitive  
2-21 bidding or by negotiated contract, all as the board considers  
2-22 appropriate, desirable, and in the best interests of the authority  
2-23 and the accomplishment of chapter purposes; ~~and~~

2-24 (22) acquire, hold, own, sell, assign, lease,  
2-25 encumber, mortgage, or otherwise dispose of any real, personal, or  
2-26 mixed property located outside the perimeter of the property  
2-27 described by Section 3503.004 if the other property enhances or  
2-28 facilitates the development, redevelopment, maintenance, or  
2-29 expansion of new and existing businesses, industry, or commercial  
2-30 activity on the property;

2-31 (23) exercise the powers Chapter 22, Transportation  
2-32 Code, grants to a municipality or county;

2-33 (24) exercise the powers Chapter 379B, Local  
2-34 Government Code, grants to a defense base development authority;  
2-35 and

2-36 (25) exercise the powers of a municipality under  
2-37 Chapters 211 and 212, Local Government Code, in the territory of the  
2-38 authority, including an area of the authority that is within the  
2-39 boundaries of a municipality's limited purpose jurisdiction and  
2-40 extraterritorial jurisdiction. On annexation of an area of the  
2-41 authority for full purposes by a municipality, the authority's  
2-42 power to regulate the area under Chapter 211 or 212, Local  
2-43 Government Code, expires. The authority regains the power in an  
2-44 area if the municipality disannexes the area.

2-45 SECTION 3. Subchapter C, Chapter 3503, Special District  
2-46 Local Laws Code, is amended by adding Section 3503.109 to read as  
2-47 follows:

2-48 Sec. 3503.109. INDEMNITY. The authority may indemnify an  
2-49 authority employee or board member or former authority employee or  
2-50 board member for necessary expenses and costs, including attorney's  
2-51 fees, incurred by that person in connection with a claim asserted  
2-52 against that person if:

2-53 (1) the claim relates to an act or omission of the  
2-54 person when acting in the scope of the person's board membership or  
2-55 authority employment; and

2-56 (2) the person has not been found liable or guilty on  
2-57 the claim.

2-58 SECTION 4. This Act takes effect immediately if it receives  
2-59 a vote of two-thirds of all the members elected to each house, as  
2-60 provided by Section 39, Article III, Texas Constitution. If this  
2-61 Act does not receive the vote necessary for immediate effect, this  
2-62 Act takes effect September 1, 2009.

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