1-1 By: Jackson   S.B. No. 1752
1-2   (In the Senate - Filed March 11, 2009; March 20, 2009, read
1-3 first time and referred to Subcommittee on Flooding and
1-4 Evacuations; April 23, 2009, reported favorably from Committee on
1-5 Intergovernmental Relations by the following vote: Yeas 5, Nays 0;
1-6 April 23, 2009, sent to printer.)

1-7   A BILL TO BE ENTITLED
1-8   AN ACT

1-9 relating to the powers of certain development corporations related
1-10 to Hurricane Ike disaster relief and to the validation of certain
1-11 governmental acts or proceedings of counties affected by Hurricane
1-12 Ike.
1-13   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14   SECTION 1. Chapter 501, Local Government Code, is amended
1-15 by adding Subchapter J to read as follows:
1-16   SUBCHAPTER J. HURRICANE IKE DISASTER RELIEF
1-17   Sec. 501.451. APPLICABILITY. This subchapter applies only
1-18 to a corporation the creation of which was authorized by a unit
1-19 wholly or partly located in the Hurricane Ike disaster area, as
1-20 defined by Section 704, Heartland Disaster Tax Relief Act of 2008
1-21 (Pub. L. No. 110-343).
1-22   Sec. 501.452. PROJECTS RELATED TO HURRICANE IKE DISASTER
1-23 AREA. For a corporation to which this subchapter applies, in this
1-24 subtitle, "project":
1-25   (1) includes an undertaking the costs of which are
1-26 eligible to be paid from the proceeds of qualified Hurricane Ike
1-27 disaster area bonds under Section 704, Heartland Disaster Tax
1-28 Relief Act of 2008 (Pub. L. No. 110-343); and
1-29   (2) does not include:
1-30   (A) a qualified residential rental project, as
1-31 defined by Section 142(d), Internal Revenue Code of 1986; or
1-32   (B) a project the costs of which are payable from
1-33 qualified mortgage bonds, as defined by Section 143, Internal
1-34 Revenue Code of 1986.
1-35   Sec. 501.453. PROJECTS NOT ADMINISTERED BY ECONOMIC
1-36 DEVELOPMENT OFFICE. A project authorized under this subchapter and
1-37 bonds issued to pay all or part of the cost of a project under this
1-38 subchapter are not subject to the requirements of Subchapter F.
1-39   SECTION 2. Title 34, Revised Statutes, is amended by adding
1-40 Article 1677 to read as follows:
1-41   Art. 1677. GOVERNMENTAL ACTS AND PROCEEDINGS OF COUNTIES
1-42 AFFECTED BY HURRICANE IKE
1-43   Sec. 1. APPLICATION. This article applies to any county
1-44 located in the Hurricane Ike disaster area, as defined by Section
1-45 704, Heartland Disaster Tax Relief Act of 2008 (Pub. L. No.
1-46 110-343).
1-47   Sec. 2. PROCEEDINGS VALIDATED. The governmental acts and
1-48 proceedings of a county relating to a bond election that was held
1-49 November 4, 2008, and at which the ballot proposition was approved
1-50 by a majority of the voters voting on the proposition are validated
1-51 as of the dates they occurred. The validation includes the
1-52 preparation and wording of the ballot proposition, any action taken
1-53 by the county in calling and holding the bond election, and any
1-54 other action taken by the county before the effective date of this
1-55 article in connection with the issuance of any bonds approved in the
1-56 bond election. The acts and proceedings may not be held invalid
1-57 because they were not performed in accordance with law. A county
1-58 may take any further action or conduct any further proceeding
1-59 necessary to complete the issuance of the bonds approved at the bond
1-60 election, and, when issued, the bonds are valid and binding
1-61 obligations of the county in accordance with the terms of the bonds.
1-62   SECTION 3. This Act takes effect immediately if it receives
1-63 a vote of two-thirds of all the members elected to each house, as
1-64 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2009.

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