

AN ACT

relating to projects that may be undertaken by development corporations for the development, retention, or expansion of certain transportation facilities.

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

SECTION 1. Section 501.101, Local Government Code, as effective September 1, 2009, is amended to read as follows:

Sec. 501.101. PROJECTS RELATED TO CREATION OR RETENTION OF PRIMARY JOBS. In this subtitle, "project" includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are:

(1) for the creation or retention of primary jobs; and

(2) found by the board of directors to be required or suitable for the development, retention, or expansion of:

(A) manufacturing and industrial facilities;

(B) research and development facilities;

(C) military facilities, including closed or realigned military bases;

(D) transportation facilities, including airports, hangars, railports, rail switching facilities, [airport] maintenance and repair facilities, [air] cargo facilities, related infrastructure located on or adjacent to an airport or railport facility, marine ports, inland ports, mass commuting facilities, and parking facilities;

- 1 (E) sewage or solid waste disposal facilities;
- 2 (F) recycling facilities;
- 3 (G) air or water pollution control facilities;
- 4 (H) facilities for furnishing water to the
- 5 public;
- 6 (I) distribution centers;
- 7 (J) small warehouse facilities capable of
- 8 serving as decentralized storage and distribution centers;
- 9 (K) primary job training facilities for use by
- 10 institutions of higher education; or
- 11 (L) regional or national corporate headquarters
- 12 facilities.

13 SECTION 2. Section 505.1561, Local Government Code, as  
14 effective September 1, 2009, is amended to read as follows:

15 Sec. 505.1561. PROJECTS RELATED TO AIRPORT FACILITIES IN  
16 CERTAIN MUNICIPALITIES. For purposes of this chapter, "project"  
17 includes land, buildings, equipment, facilities, and improvements  
18 found by the board of directors to be required or suitable for the  
19 development or expansion of airport or railport facilities,  
20 including hangars, [~~airport~~] maintenance and repair facilities,  
21 [~~air~~] cargo facilities, and related infrastructure located on or  
22 adjacent to an airport or railport facility, if the project is  
23 undertaken by a Type B corporation authorized to be created by a  
24 municipality:

- 25 (1) that enters into a development agreement with an
- 26 entity in which the entity acquires a leasehold or other possessory
- 27 interest from the corporation and is authorized to sublease the

1 entity's interest for other projects authorized by Sections 505.151  
2 through 505.156; and

3 (2) the governing body of which has authorized the  
4 development agreement by adopting a resolution at a meeting called  
5 as authorized by law.

6 SECTION 3. (a) In accordance with Subsection (c), Section  
7 311.031, Government Code, which gives effect to a substantive  
8 amendment enacted by the same legislature that codifies the amended  
9 statute, the text of Sections 501.101 and 505.1561, Local  
10 Government Code, as set out in this Act, give effect to changes made  
11 by Chapter 1102 (H.B. 3440), Acts of the 80th Legislature, Regular  
12 Session, 2007.

13 (b) To the extent of any conflict, this Act prevails over  
14 another Act of the 81st Legislature, Regular Session, 2009,  
15 relating to nonsubstantive additions to and corrections in enacted  
16 codes.

17 SECTION 4. This Act takes effect September 1, 2009.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 2052 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 2052 passed the House on May 12, 2009, by the following vote: Yeas 149, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor