

1-1 By: Estes S.B. No. 2052
1-2 (In the Senate - Filed March 12, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 8, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; April 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to projects that may be undertaken by development
1-9 corporations for the development, retention, or expansion of
1-10 certain transportation facilities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 501.101, Local Government Code, as
1-13 effective September 1, 2009, is amended to read as follows:

1-14 Sec. 501.101. PROJECTS RELATED TO CREATION OR RETENTION OF
1-15 PRIMARY JOBS. In this subtitle, "project" includes the land,
1-16 buildings, equipment, facilities, expenditures, targeted
1-17 infrastructure, and improvements that are:

1-18 (1) for the creation or retention of primary jobs; and

1-19 (2) found by the board of directors to be required or
1-20 suitable for the development, retention, or expansion of:

1-21 (A) manufacturing and industrial facilities;

1-22 (B) research and development facilities;

1-23 (C) military facilities, including closed or
1-24 realigned military bases;

1-25 (D) transportation facilities, including
1-26 airports, hangars, railports, rail switching facilities, [airport]

1-27 maintenance and repair facilities, [air] cargo facilities, related

1-28 infrastructure located on or adjacent to an airport or railport

1-29 facility, marine ports, inland ports, mass commuting facilities,

1-30 and parking facilities;

1-31 (E) sewage or solid waste disposal facilities;

1-32 (F) recycling facilities;

1-33 (G) air or water pollution control facilities;

1-34 (H) facilities for furnishing water to the
1-35 public;

1-36 (I) distribution centers;

1-37 (J) small warehouse facilities capable of
1-38 serving as decentralized storage and distribution centers;

1-39 (K) primary job training facilities for use by
1-40 institutions of higher education; or

1-41 (L) regional or national corporate headquarters
1-42 facilities.

1-43 SECTION 2. Section 505.1561, Local Government Code, as
1-44 effective September 1, 2009, is amended to read as follows:

1-45 Sec. 505.1561. PROJECTS RELATED TO AIRPORT FACILITIES IN
1-46 CERTAIN MUNICIPALITIES. For purposes of this chapter, "project"

1-47 includes land, buildings, equipment, facilities, and improvements
1-48 found by the board of directors to be required or suitable for the
1-49 development or expansion of airport or railport facilities,

1-50 including hangars, [airport] maintenance and repair facilities,

1-51 [air] cargo facilities, and related infrastructure located on or

1-52 adjacent to an airport or railport facility, if the project is
1-53 undertaken by a Type B corporation authorized to be created by a
1-54 municipality:

1-55 (1) that enters into a development agreement with an
1-56 entity in which the entity acquires a leasehold or other possessory
1-57 interest from the corporation and is authorized to sublease the
1-58 entity's interest for other projects authorized by Sections 505.151
1-59 through 505.156; and

1-60 (2) the governing body of which has authorized the
1-61 development agreement by adopting a resolution at a meeting called
1-62 as authorized by law.

1-63 SECTION 3. (a) In accordance with Subsection (c), Section
1-64 311.031, Government Code, which gives effect to a substantive

2-1 amendment enacted by the same legislature that codifies the amended
2-2 statute, the text of Sections 501.101 and 505.1561, Local
2-3 Government Code, as set out in this Act, give effect to changes made
2-4 by Chapter 1102 (H.B. 3440), Acts of the 80th Legislature, Regular
2-5 Session, 2007.

2-6 (b) To the extent of any conflict, this Act prevails over
2-7 another Act of the 81st Legislature, Regular Session, 2009,
2-8 relating to nonsubstantive additions to and corrections in enacted
2-9 codes.

2-10 SECTION 4. This Act takes effect September 1, 2009.

2-11

* * * * *