

BILL ANALYSIS

Senate Research Center
82R4448 NAJ-F

C.S.H.B. 447
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Veteran Affairs & Military Installations
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law governing a defense base development authority is unclear about whether a local authority can sell, lease, or otherwise engage in financial transactions relative to real estate or property owned or controlled by the authority. C.S.H.B. 447 clarifies existing statutes by detailing the specific actions that a defense base development authority may take regarding the authority's holdings.

C.S.H.B. 447 amends current law relating to the powers of a defense base development authority.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 379B.004(a), Local Government Code, as follows:

(a) Authorizes a defense base development authority (authority) to exercise power necessary or convenient to carry out a purpose of this chapter, including the power to charge for the use, lease, or sale of an open space or a facility, rather than charge for a facility or service.

SECTION 2. Amends Chapter 379B, Local Government Code, by adding Sections 379B.0042 and 379B.0043, as follows:

Sec. 379B.0042. SERVICES. Authorizes an authority to charge for a service provided, including:

- (1) professional consultation services provided in relation to international trade, planning, land use, or construction;
- (2) real estate development services, including an employee licensed under Chapter 1101 (Real Estate Brokers and Salespersons), Occupations Code, acting as a broker;
- (3) support or participation in the acquisition of venture capital to finance the authority's redevelopment project, both inside and outside the authority;
- (4) participation in or assistance on a joint venture composed of both public and private entities;
- (5) promotion of an activity that creates employment opportunities; and
- (6) any other service provided in relation to a project undertaken by the authority, alone or with others, to fulfill an authority purpose or objective.

Sec. 379B.0043. TRANSPORTATION PROJECT. (a) Authorizes an authority to implement a transportation project:

(1) on the base property; or

(2) outside of the base property to provide access to the base property.

(b) Authorizes an authority to enter into an agreement with any person, including another governmental entity, to plan, finance, construct, or maintain a project described by Subsection (a).

(c) Authorizes an authority to construct a building, loading dock, or other facility as part of a transportation project described by Subsection (a)(1).

SECTION 3. Effective date: September 1, 2011.