

1-1 By: Gallego (Senate Sponsor - Uresti) H.B. No. 1040
1-2 (In the Senate - Received from the House April 18, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Economic Development; May 13, 2011, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 13, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1040 By: Jackson

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

1-10 relating to the validation of the creation of, and certain acts
1-11 related to, a venue project, and the dissolution of certain venue
1-12 districts.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. (a) The legislature validates and confirms:

1-15 (1) the creation of, and election on, a venue project
1-16 to finance the restoration and renovation of a venue as of the date
1-17 of an election held before the effective date of this Act at which
1-18 the voters of a municipality approved the creation of the venue
1-19 project and the levy of a two percent increase in the local hotel
1-20 occupancy tax; and

1-21 (2) the levy and collection of a two percent increase
1-22 in the local hotel occupancy tax for a venue project that occurred
1-23 before the effective date of this Act.

1-24 (b) This section does not apply to any matter that on the
1-25 effective date of this Act:

1-26 (1) is involved in litigation if the litigation
1-27 ultimately results in the matter being held invalid by a final court
1-28 judgment; or

1-29 (2) has been held invalid by a final court judgment.

1-30 (c) This Act does not validate any governmental act or
1-31 proceeding that, under the law in effect at the time the act or
1-32 proceeding occurred, would constitute a criminal offense
1-33 punishable as a misdemeanor or felony.

1-34 SECTION 2. Chapter 335, Local Government Code, is amended
1-35 by adding Subchapter G to read as follows:

1-36 SUBCHAPTER G. DISSOLUTION OF DISTRICTS IN LESS POPULOUS COUNTIES

1-37 Sec. 335.151. APPLICABILITY. This subchapter applies only
1-38 to a district wholly located in a county with a population of less
1-39 than 15,000.

1-40 Sec. 335.152. DISSOLUTION. The governing body of each
1-41 political subdivision that created a district may dissolve the
1-42 district by adopting a concurrent order.

1-43 Sec. 335.153. ASSETS AND LIABILITIES. (a) The assets and
1-44 liabilities of a district dissolved under this subchapter shall be
1-45 transferred to the county in which the district is located.

1-46 (b) After payment of district liabilities, the county shall
1-47 use the district assets that remain for an approved venue project of
1-48 the county.

1-49 SECTION 3. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2011.

1-54 * * * * *