

Suspending limitations on conference committee
jurisdiction, H.B. No. 3275 (Coleman/Ellis)

By: Coleman

H.R. No. 2654

R E S O L U T I O N

BE IT RESOLVED by the House of Representatives of the State of Texas, 82nd Legislature, Regular Session, 2011, That House Rule 13, Section 9(a), be suspended in part as provided by House Rule 13, Section 9(f), to enable the conference committee appointed to resolve the differences on House Bill 3275 (the operation and governance of tax increment financing reinvestment zones, the creation of renewable energy reinvestment zones, and the governance of certain special districts) to consider and take action on the following matter:

House Rule 13, Section 9(a)(4), is suspended to permit the committee to add text on a matter which is not included in either the house or senate version of the bill by adding the following sections to the bill:

SECTION 1. Sections 311.006(a) and (b), Tax Code, are amended to read as follows:

(a) A municipality may not designate ~~[create]~~ a reinvestment zone if:

(1) more than 30 ~~[40]~~ percent of the property in the proposed zone, excluding property that is publicly owned, is used for residential purposes; or

(2) the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds:

(A) 25 ~~[20]~~ percent of the total appraised value of taxable real property in the municipality and in the industrial

districts created by the municipality, if the municipality has a population of 100,000 or more ~~[is the county seat of a county:~~

~~[(i) that is adjacent to a county with a population of 3.3 million or more, and~~

~~[(ii) in which a planned community is located that has 20,000 or more acres of land, that was originally established under the Urban Growth and New Community Development Act of 1970 (42 U.S.C. Section 4501 et seq.), and that is subject to restrictive covenants containing ad valorem or annual variable budget-based assessments on real property]; or~~

(B) 50 ~~[15]~~ percent of the total appraised value of taxable real property in the municipality and in the industrial districts created by the municipality, if ~~[Paragraph (A) does not apply to]~~ the municipality has a population of less than 100,000.

(b) A municipality may not change the boundaries of an existing reinvestment zone to include property in excess of the restrictions on composition of a zone described by Subsection (a) ~~[more than 10 percent of which, excluding property dedicated to public use, is used for residential purposes or to include more than 15 percent of the total appraised value of taxable real property in the municipality and in the industrial districts created by the municipality]~~.

SECTION 8. Section 3815.051(a), Special District Local Laws Code, is amended to read as follows:

(a) The district is governed by a board of 17 ~~[21]~~ directors who serve staggered terms of four years, with eight ~~[10]~~ directors' terms expiring June 1 of an odd-numbered year and nine ~~[11]~~

1 directors' terms expiring June 1 of the following odd-numbered
2 year.

3 SECTION 9. Subchapter B, Chapter 3815, Special District
4 Local Laws Code, is amended by adding Section 3815.055 to read as
5 follows:

6 Sec. 3815.055. INTERIM DIRECTORS. (a) The board serving on
7 September 1, 2011, is abolished and is replaced by an interim board
8 consisting of the following directors:

9	<u>Pos. No.</u>	<u>Name of Director</u>
10	<u>1</u>	<u>Alan D. Bergeron</u>
11	<u>2</u>	<u>Sharone Mayberry</u>
12	<u>3</u>	<u>James Donatto Sr.</u>
13	<u>4</u>	<u>Hexser J. Holliday II</u>
14	<u>5</u>	<u>Osama Abdullatif</u>
15	<u>6</u>	<u>Skye Thompson</u>
16	<u>7</u>	<u>Asmara Tekle Johnson</u>
17	<u>8</u>	<u>Jaa St. Julien</u>
18	<u>9</u>	<u>Jimmy Arnold</u>
19	<u>10</u>	<u>Cyeoni Miles</u>
20	<u>11</u>	<u>Zinetta A. Burney</u>
21	<u>12</u>	<u>Chris Hageney</u>
22	<u>13</u>	<u>Teddy A. McDavid</u>
23	<u>14</u>	<u>Brian G. Smith</u>
24	<u>15</u>	<u>Robert S. Muhammad</u>
25	<u>16</u>	<u>Robert C. Combre</u>
26	<u>17</u>	<u>Janice M. Sibley-Reid</u>

27 (b) The terms of the interim directors expire June 1, 2015.

1 (c) The mayor and the members of the governing body of the
2 City of Houston shall appoint successor directors not later than
3 June 1, 2015, and shall stagger the terms of the directors, with
4 eight of the directors' terms expiring June 1, 2017, and the
5 remaining directors' terms expiring June 1, 2019.

6 (d) This section expires September 1, 2015.

7 SECTION 10. Notwithstanding H.B. No. 2853, Acts of the 82nd
8 Legislature, Regular Session, 2011, Section 311.011(h), Tax Code,
9 as added by that Act, does not take effect. This section prevails
10 over H.B. No. 2853, Acts of the 82nd Legislature, Regular Session,
11 2011, or any other conflicting Act of the 82nd Legislature, Regular
12 Session, 2011, regardless of the relative dates of enactment.

13 Explanation: The changes are necessary to allow a
14 municipality to designate a tax increment financing reinvestment
15 zone that encompasses additional area or change the boundaries of
16 an existing zone to encompass additional area; to modify the
17 composition of the board of directors of a particular special
18 district and provide for the appointment and terms of directors of
19 that district; and to provide that Section 311.011(h), Tax Code, as
20 added by H.B. No. 2853, Acts of the 82nd Legislature, Regular
21 Session, 2011, which relates to considering as estimates the
22 amounts contained in the project plan or reinvestment zone
23 financing plan for a tax increment financing reinvestment zone,
24 does not take effect.