

1-1 By: Uresti S.B. No. 1493
1-2 (In the Senate - Filed March 10, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; May 9, 2011, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 9, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1493 By: Estes

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

1-10 relating to the directors of a defense base management authority
1-11 and to a study on the effectiveness of the authority.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsections (a), (b), (c), and (h), Section
1-14 375.306, Local Government Code, are amended to read as follows:

1-15 (a) The board consists of 11 [~~15~~] directors.

1-16 (b) The municipality shall appoint four [~~six~~] members of the
1-17 board.

1-18 (c) The county in which the municipality is primarily
1-19 located shall appoint four [~~six~~] members of the board.

1-20 (h) Sections 375.061, 375.063, 375.066, and 375.068 and the
1-21 limitations of Section 375.072(c) do not apply to this subchapter.

1-22 SECTION 2. Section 375.307, Local Government Code, is
1-23 amended by amending Subsection (a) and adding Subsection (c) to
1-24 read as follows:

1-25 (a) At least three directors appointed by the municipality
1-26 and at least three directors appointed by the county must:

1-27 (1) reside in the authority; or

1-28 (2) own property in the authority [~~Except as provided~~
1-29 ~~by Subsection (b), a majority of the directors of an authority must~~
1-30 ~~meet the qualifications of Section 375.063].~~

1-31 (c) To be qualified to serve as a director appointed by the
1-32 municipality or the county, a person who does not meet the
1-33 qualifications of Subsection (a) must be:

1-34 (1) an owner of stock, whether beneficial or
1-35 otherwise, of a corporate owner of property in the authority;

1-36 (2) an owner of a beneficial interest in a trust that
1-37 owns property in the authority; or

1-38 (3) an agent, employee, or tenant of a person who:

1-39 (A) owns property in the authority; or

1-40 (B) is covered by Subdivision (1) or (2).

1-41 SECTION 3. Subchapter O, Chapter 375, Local Government
1-42 Code, is amended by adding Section 375.315 to read as follows:

1-43 Sec. 375.315. EFFECTIVENESS STUDY; REPORT. (a) The board
1-44 of an authority shall study the effectiveness of the authority.

1-45 (b) Not later than December 31 of each even-numbered year,
1-46 the board of an authority shall report to the legislature on the
1-47 effectiveness of the authority. The report must:

1-48 (1) compare utility and infrastructure development
1-49 in:

1-50 (A) the authority since the authority's
1-51 creation; and

1-52 (B) areas in the municipality that created the
1-53 authority that are not in the authority;

1-54 (2) identify methods for improving residential,
1-55 commercial, and industrial development in the authority;

1-56 (3) identify limitations and impediments to
1-57 development in the authority;

1-58 (4) identify methods to improve the authority's
1-59 accountability to property owners in the authority; and

1-60 (5) identify any competitive advantage opportunities
1-61 of the authority.

1-62 SECTION 4. (a) The change in law made by this Act applies
1-63 only to a director appointed on or after the effective date of this

2-1 Act. A director appointed before the effective date of this Act is
2-2 governed by the law in effect on the date the director was
2-3 appointed, and the former law is continued in effect for that
2-4 purpose.

2-5 (b) A director appointed by a municipality or county under
2-6 Section 375.306, Local Government Code, as it existed immediately
2-7 before the effective date of this Act, continues to serve until the
2-8 director's term expires. Until the number of directors appointed
2-9 by the municipality or county is four for that entity, on expiration
2-10 of the term of each director appointed by the entity, the director's
2-11 position is abolished.

2-12 (c) A municipality or county may not appoint a director
2-13 under Section 375.306, Local Government Code, as amended by this
2-14 Act, until the number of directors appointed by the municipality or
2-15 county, after existing terms expire and positions are abolished, is
2-16 four or fewer directors for that entity. An initial appointment by
2-17 a municipality or county under Section 375.306, Local Government
2-18 Code, as amended by this Act, to replace a director whose term
2-19 expires but whose position is not abolished may be limited to one
2-20 year to achieve staggering of terms under Subsection (e), Section
2-21 375.306, Local Government Code.

2-22 SECTION 5. This Act takes effect immediately if it receives
2-23 a vote of two-thirds of all the members elected to each house, as
2-24 provided by Section 39, Article III, Texas Constitution. If this
2-25 Act does not receive the vote necessary for immediate effect, this
2-26 Act takes effect September 1, 2011.

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