

By: Gallegos

S.B. No. 1674

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the composition of the board of directors of certain tax  
3 increment financing reinvestment zones.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 311.007(b), Tax Code, is amended to read  
6 as follows:

7 (b) The governing body of the municipality or county may  
8 enlarge an existing reinvestment zone to include an area described  
9 in a petition requesting that the area be included in the zone if  
10 the petition is submitted to the governing body of the municipality  
11 or county by the owners of property constituting at least 50 percent  
12 of the appraised value of the property in the area according to the  
13 most recent certified appraisal roll for the county in which the  
14 area is located. The composition of the board of directors of the  
15 zone continues to be governed by Section 311.009(a), (a-1), or (b),  
16 whichever applied to the zone immediately before the enlargement of  
17 the zone, except that the membership of the board must conform to  
18 the requirements of the applicable subsection of Section 311.009 as  
19 applied to the zone after its enlargement. The provision of  
20 Section 311.006(b) relating to the amount of property used for  
21 residential purposes that may be included in the zone does not apply  
22 to the enlargement of a zone under this subsection.

23 SECTION 2. Section 311.009, Tax Code, is amended by  
24 amending Subsections (a) and (e) and adding Subsection (a-1) to

1 read as follows:

2 (a) Except as provided by Subsections (a-1) and  
3 ~~[Subsection]~~ (b), the board of directors of a reinvestment zone  
4 consists of at least five and not more than 15 members, unless more  
5 than 15 members are required to satisfy the requirements of this  
6 subsection. Each taxing unit other than the municipality or county  
7 that created the zone that levies taxes on real property in the zone  
8 may appoint one member of the board. A unit may waive its right to  
9 appoint a director. The governing body of the municipality or  
10 county that created the zone may appoint not more than 10 directors  
11 to the board; except that if there are fewer than five directors  
12 appointed by taxing units other than the municipality or county,  
13 the governing body of the municipality or county may appoint more  
14 than 10 members as long as the total membership of the board does  
15 not exceed 15.

16 (a-1) Except as provided by Subsection (b), if the zone is  
17 wholly or partly located in a municipality with a population of two  
18 million or more, the board of directors of the zone consists of at  
19 least five and not more than 17 members, unless more than 17 members  
20 are required to satisfy the requirements of this subsection. Each  
21 taxing unit other than the municipality or county that created the  
22 zone that levies taxes on real property in the zone may appoint one  
23 member of the board. A unit may waive its right to appoint a  
24 director. The member of the state senate in whose district the zone  
25 is located is a member of the board, and the member of the state  
26 house of representatives in whose district the zone is located is a  
27 member of the board, except that either may designate another

1 individual to serve in the member's place at the pleasure of the  
2 member. If the zone is located in more than one senate or house  
3 district, this subsection applies only to the senator or  
4 representative in whose district a larger portion of the zone is  
5 located than any other senate or house district, as applicable. The  
6 governing body of the municipality or county that created the zone  
7 may appoint not more than 10 directors to the board, except that if  
8 there are fewer than five directors appointed by taxing units other  
9 than the municipality or county, the governing body of the  
10 municipality or county may appoint more than 10 members as long as  
11 the total membership of the board does not exceed 17.

12 (e) To be eligible for appointment to the board by the  
13 governing body of the municipality or county that created the zone,  
14 an individual must:

15 (1) if the board is covered by Subsection (a) or (a-1):

16 (A) be a qualified voter of the municipality or  
17 county, as applicable; or

18 (B) be at least 18 years of age and own real  
19 property in the zone, whether or not the individual resides in the  
20 municipality or county; or

21 (2) if the board is covered by Subsection (b):

22 (A) be at least 18 years of age; and

23 (B) own real property in the zone or be an  
24 employee or agent of a person that owns real property in the zone.

25 SECTION 3. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 1674

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2011.