

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

By: Ellis

S.R. No. 1247

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 82nd
2 Legislature, Regular Session, 2011, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 3275 (the operation and governance of tax increment financing
6 reinvestment zones, the creation of renewable energy reinvestment
7 zones, and the governance of certain special districts) to consider
8 and take action on the following matter:

9 Senate Rule 12.03(4) is suspended to permit the committee to
10 add text on a matter which is not included in either the house or
11 senate version of the bill by adding the following sections to the
12 bill:

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

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

17 (1) more than 30 [~~10~~] percent of the property in the
18 proposed zone, excluding property that is publicly owned, is used
19 for residential purposes; or

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

22 (A) 25 [~~20~~] percent of the total appraised value
23 of taxable real property in the municipality and in the industrial
24 districts created by the municipality, if the municipality has a

1 population of 100,000 or more [~~is the county seat of a county:~~

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

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

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

14 (b) A municipality may not change the boundaries of an
15 existing reinvestment zone to include property in excess of the
16 restrictions on composition of a zone described by Subsection (a)
17 [~~more than 10 percent of which, excluding property dedicated to~~
18 ~~public use, is used for residential purposes or to include more than~~
19 ~~15 percent of the total appraised value of taxable real property in~~
20 ~~the municipality and in the industrial districts created by the~~
21 ~~municipality)].~~

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

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

1 year.

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

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

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

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

27 (c) The mayor and the members of the governing body of the

1 City of Houston shall appoint successor directors not later than
2 June 1, 2015, and shall stagger the terms of the directors, with
3 eight of the directors' terms expiring June 1, 2017, and the
4 remaining directors' terms expiring June 1, 2019.

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

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

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