

House Bill 447
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 379B.004(a), Local Government Code, is amended to read as follows:

- (a) An authority may exercise power necessary or convenient to carry out a purpose of this chapter, including the power to:
- (1) adopt an official seal, or alter it;
 - (2) adopt rules;
 - (3) enter into a contract or incur a liability;
 - (4) acquire and dispose of money;
 - (5) select a depository;
 - (6) establish a system of accounts for the authority;
 - (7) invest funds in accordance with Chapter 2256, Government Code;
 - (8) set the fiscal year for the authority;
 - (9) adopt an annual operating budget for major expenditures before the beginning of the fiscal year;
 - (10) borrow money or issue a bond in an amount that does not exceed the maximum amount set by the board;
 - (11) loan money;
 - (12) acquire, lease, lease-purchase, convey, grant a mortgage on, or otherwise dispose of a property right, including a right regarding base property;
 - (13) lease property located on the base property to a person to effect the purposes of this chapter;
 - (14) request and accept a donation, grant, guaranty, or loan from any source permitted by law;
 - (15) operate and maintain an office;
 - (16) charge for the use, lease, or sale of an open space or a facility [~~or service~~];
 - (17) exercise a power granted to a municipality by Chapter 380;
 - (18) authorize by resolution the incorporation of a nonprofit airport facility financing corporation as provided and authorized by Subchapter E, Chapter 22, Transportation Code,

SENATE VERSION (CS)

SECTION 1. Same as House version.

CONFERENCE

House Bill 447
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

to provide financing to pay the costs, including interest, and reserves for the costs of an airport facility authorized by that chapter and for other purposes set forth in the articles of incorporation;

(19) exercise the powers granted to a local government for the financing of facilities to be located on airport property, including those set out in Chapter 22, Transportation Code, consistent with the requirements and the purposes of Section 52-a, Article III, Texas Constitution;

(20) lease, own, and operate an airport and exercise the powers granted to municipalities and counties by Chapter 22, Transportation Code;

(21) lease, own, and operate port facilities for air, trucking, and rail transportation;

(22) provide security for port functions, facilities, and operations; and

(23) cooperate with and participate in programs and security efforts of this state and the federal Department of Homeland Security.

SECTION 2. Chapter 379B, Local Government Code, is amended by adding Section 379B.0042 to read as follows:

Sec. 379B.0042. SERVICES. An authority may charge for a service provided, including:

(1) professional consultation services provided in relation to international trade, planning, land use, or construction;

(2) real estate development services, including an employee licensed under Chapter 1101, Occupations Code, acting as a broker;

(3) support or participation in the acquisition of venture capital to finance the authority's redevelopment project, both

SENATE VERSION (CS)

CONFERENCE

SECTION 2. Chapter 379B, Local Government Code, is amended by adding Sections 379B.0042 and 379B.0043 to read as follows:

Sec. 379B.0042. SERVICES. An authority may charge for a service provided, including:

(1) professional consultation services provided in relation to international trade, planning, land use, or construction;

(2) real estate development services, including an employee licensed under Chapter 1101, Occupations Code, acting as a broker;

(3) support or participation in the acquisition of venture capital to finance the authority's redevelopment project, both

House Bill 447
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

inside and outside the authority;

(4) participation in or assistance on a joint venture composed of both public and private entities;

(5) promotion of an activity that creates employment opportunities; and

(6) any other service provided in relation to a project undertaken by the authority, alone or with others, to fulfill an authority purpose or objective.

SENATE VERSION (CS)

inside and outside the authority;

(4) participation in or assistance on a joint venture composed of both public and private entities;

(5) promotion of an activity that creates employment opportunities; and

(6) any other service provided in relation to a project undertaken by the authority, alone or with others, to fulfill an authority purpose or objective.

Sec. 379B.0043. TRANSPORTATION PROJECT. (a) An authority may implement a transportation project:

(1) on the base property; or

(2) outside of the base property to provide access to the base property.

(b) An authority may enter into an agreement with any person, including another governmental entity, to plan, finance, construct, or maintain a project described by Subsection (a).

(c) An authority may construct a building, loading dock, or other facility as part of a transportation project described by Subsection (a)(1).

CONFERENCE

SECTION 3. This Act takes effect September 1, 2011.

SECTION 3. Same as House version.