

BILL ANALYSIS

C.S.H.B. 655
By: Cortez
Economic & Small Business Development
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Defense base development authorities are generally created to accept title to or operate under a leased property that formerly belonged to a U.S. military installation and to engage in the economic development of that property, converting such property into commercial space. Recently enacted legislation requires such authorities to acquire contracts through public-private partnership and request for proposal processes. Interested parties have expressed concern regarding this change and have suggested a return to the previous contract procurement process. C.S.H.B. 655 seeks to address the issue by restoring a defense base development authority's contracting authority to its former state.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 655 amends Section 2267.003, Government Code, as added by Chapter 1334 (S.B. 1048), Acts of the 82nd Legislature, Regular Session, 2011, to exempt a redevelopment project of a defense base development authority from statutory provisions relating to public and private facilities and infrastructure.

C.S.H.B. 655 amends Subchapter A, Chapter 2267, Government Code, as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature, Regular Session, 2011, or provisions of the Government Code, depending on whether legislation proposed by the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes becomes law, to exempt a defense base development authority from statutory provisions relating to public and private facilities and infrastructure.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 655 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 2267.003, Government Code, as added by Chapter	SECTION 1. Section 2267.003, Government Code, as added by Chapter

83R 24732

13.113.613

Substitute Document Number: 83R 19679

1334 (S.B. 1048), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

Sec. 2267.003. APPLICABILITY. This chapter does not apply to:

(1) the financing, design, construction, maintenance, or operation of a highway in the state highway system;

(2) a transportation authority created under Chapter 451, 452, 453, or 460, Transportation Code; [ø]

(3) any telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the project; or

(4) a qualifying project of a defense base development authority created under Chapter 379B, Local Government Code.

No equivalent provision.

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SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each

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(3) any telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the project; or

(4) a redevelopment project of a defense base development authority created under Chapter 379B, Local Government Code.

SECTION 2. (a) This section takes effect only if the Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

(b) Subchapter A, Chapter 2267, Government Code, as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature, Regular Session, 2011, is amended by adding Section 2267.011 to read as follows:

Sec. 2267.011. EXEMPTION: DEFENSE BASE DEVELOPMENT AUTHORITIES. This chapter does not apply to a defense base development authority created under Chapter 379B, Local Government Code.

SECTION 3. (a) This section takes effect only if the Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

(b) Subchapter A, Chapter 2269, Government Code, is amended by adding Section 2269.011 to read as follows:

Sec. 2269.011. EXEMPTION: DEFENSE BASE DEVELOPMENT AUTHORITIES. This chapter does not apply to a defense base development authority created under Chapter 379B, Local Government Code.

SECTION 4. Same as introduced version.

house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.