

By: Stephenson, Reynolds, et al.

H.B. No. 2181

Substitute the following for H.B. No. 2181:

By: J. Davis of Harris

C.S.H.B. No. 2181

A BILL TO BE ENTITLED

AN ACT

relating to authorizing development corporations to finance projects to support primary job training facilities and programs at certain educational institutions.

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

SECTION 1. Subchapter C, Chapter 501, Local Government Code, is amended by adding Section 501.1021 to read as follows:

Sec. 501.1021. PROJECTS RELATING TO SUPPORTING PRIMARY JOB TRAINING FACILITIES AND PROGRAMS AT CERTAIN EDUCATIONAL INSTITUTIONS. (a) In this section:

(1) "Authorizing municipality" means the municipality that authorizes the creation of a corporation under this subtitle.

(2) "Public junior college" and "public technical institute" have the meanings assigned by Section 61.003, Education Code.

(b) In this subtitle, "project" includes expenditures to support primary job training facilities or programs, including expenditures for training equipment, at:

(1) a public junior college, public technical institute, or high school located in the authorizing municipality of a corporation; and

(2) a public junior college the service area of which includes any portion of the authorizing municipality of a corporation.

1       (c) A corporation may enter into an agreement with one or  
2 more educational institutions with respect to a project under this  
3 section that is financed wholly or partly under this subtitle.

4       SECTION 2. Subchapter D, Chapter 504, Local Government  
5 Code, is amended by adding Section 504.172 to read as follows:

6       Sec. 504.172. AUTHORITY TO UNDERTAKE PROJECTS TO SUPPORT  
7 PRIMARY JOB TRAINING FACILITIES AND PROGRAMS AT CERTAIN EDUCATIONAL  
8 INSTITUTIONS. (a) Notwithstanding any other provision of this  
9 subtitle, a Type A corporation may not use proceeds from the sales  
10 and use tax or other corporate revenues to undertake the category of  
11 projects described by Section 501.1021 unless the use of tax  
12 proceeds or other corporate revenues for that purpose is authorized  
13 as provided by this section.

14       (b) The governing body of a Type A corporation's authorizing  
15 municipality by resolution may authorize the corporation to  
16 undertake and finance the category of projects described by Section  
17 501.1021 as provided by Subsection (a). The resolution must be  
18 passed by majority vote of all members of the municipality's  
19 governing body and entered in its minutes.

20       (c) On receipt of a petition signed by a number of  
21 registered voters of the municipality equal to at least 10 percent  
22 of the number of voters participating in the last general election  
23 held in the municipality requesting an election to use the sales and  
24 use tax proceeds and other corporate revenues for the category of  
25 projects described by Section 501.1021, the governing body of a  
26 Type A corporation's authorizing municipality shall order an  
27 election on the issue.

1       (d) The governing body of the municipality shall order an  
2 election required under Subsection (c) to be held on the first  
3 authorized uniform election date prescribed by Chapter 41, Election  
4 Code, that occurs after the date the petition is filed and that  
5 allows sufficient time to comply with other requirements of law.

6       (e) The ballot in an election under this section shall be  
7 printed to provide for voting for or against the proposition:  
8 "Adopting the use of Type A corporation funds for projects  
9 supporting primary job training facilities and programs at  
10 educational institutions in the City of \_\_\_\_\_."

11       (f) If a majority of the voters voting on the issue do not  
12 approve the use of sales and use tax proceeds and other corporate  
13 revenues for the category of projects described by Section 501.1021  
14 at an election under this section, another election concerning the  
15 use of tax proceeds and revenues for the same category of projects  
16 may not be held before the second anniversary of the date of the  
17 most recent election disapproving the use of tax proceeds and  
18 revenues for that category of projects.

19       SECTION 3. The heading to Subchapter D, Chapter 505, Local  
20 Government Code, is amended to read as follows:

21       SUBCHAPTER D. AUTHORIZATION FOR ADDITIONAL ~~[AUTHORIZED]~~ PROJECTS

22       SECTION 4. Subchapter D, Chapter 505, Local Government  
23 Code, is amended by adding Section 505.162 to read as follows:

24       Sec. 505.162. AUTHORITY TO UNDERTAKE PROJECTS TO SUPPORT  
25 PRIMARY JOB TRAINING FACILITIES AND PROGRAMS AT CERTAIN EDUCATIONAL  
26 INSTITUTIONS. (a) Notwithstanding any other provision of this  
27 subtitle, a Type B corporation may not use proceeds from the sales

1 and use tax or other corporate revenues to undertake the category of  
2 projects described by Section 501.1021 unless the use of tax  
3 proceeds or other corporate revenues for that purpose is authorized  
4 as provided by this section.

5 (b) The governing body of a Type B corporation's authorizing  
6 municipality by resolution may authorize the corporation to  
7 undertake and finance the category of projects described by Section  
8 501.1021 as provided by Subsection (a). The resolution must be  
9 passed by majority vote of all members of the municipality's  
10 governing body and entered in its minutes.

11 (c) On receipt of a petition signed by a number of  
12 registered voters of the municipality equal to at least 10 percent  
13 of the number of voters participating in the last general election  
14 held in the municipality requesting an election to use the sales and  
15 use tax proceeds and other corporate revenues for the category of  
16 projects described by Section 501.1021, the governing body of a  
17 Type B corporation's authorizing municipality shall order an  
18 election on the issue.

19 (d) The governing body of the municipality shall order an  
20 election required under Subsection (c) to be held on the first  
21 authorized uniform election date prescribed by Chapter 41, Election  
22 Code, that occurs after the date the petition is filed and that  
23 allows sufficient time to comply with other requirements of law.

24 (e) The ballot in an election under this section shall be  
25 printed to provide for voting for or against the proposition:  
26 "Adopting the use of Type B corporation funds for projects  
27 supporting primary job training facilities and programs at

1 educational institutions in the City of \_\_\_\_\_."

2 (f) If a majority of the voters voting on the issue do not  
3 approve the use of sales and use tax proceeds and other corporate  
4 revenues for the category of projects described by Section 501.1021  
5 at an election under this section, another election concerning the  
6 use of tax proceeds and revenues for the same category of projects  
7 may not be held before the second anniversary of the date of the  
8 most recent election disapproving the use of tax proceeds and  
9 revenues for that category of projects.

10 SECTION 5. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2013.