

AN ACT

relating to the application of certain contracting laws to a defense base development authority.

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

SECTION 1. (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) Chapter 379B, Local Government Code, is amended by adding Section 379B.0012 to read as follows:

Sec. 379B.0012. APPLICATION OF OTHER LAW. (a) In this section, "qualifying project" means any real estate project involving the construction of:

(1) tenant finish-out or construction of a build-to-suit facility for a tenant who, through the execution of a lease with an authority, pays for or reimburses the authority for the cost of the improvements;

(2) infrastructure improvements, including roads, driveways, or utility extensions, made in connection with the sale or lease of property owned by the authority and for which the proceeds of the sale or the lease are used to reimburse the authority for the infrastructure improvements; or

(3) an income-producing facility that generates revenue for the authority and that is constructed by a private

1 developer with special expertise in development.

2 (b) Chapters 2267 and 2269, Government Code, do not apply to  
3 a qualifying project of an authority.

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

8 (b) Chapter 379B, Local Government Code, is amended by  
9 adding Section 379B.0012 to read as follows:

10 Sec. 379B.0012. APPLICATION OF OTHER LAW. (a) In this  
11 section, "qualifying project" means any real estate project  
12 involving the construction of:

13 (1) tenant finish-out or construction of a  
14 build-to-suit facility for a tenant who, through the execution of a  
15 lease with an authority, pays for or reimburses the authority for  
16 the cost of the improvements;

17 (2) infrastructure improvements, including roads,  
18 driveways, or utility extensions, made in connection with the sale  
19 or lease of property owned by the authority and for which the  
20 proceeds of the sale or the lease are used to reimburse the  
21 authority for the infrastructure improvements; or

22 (3) an income-producing facility that generates  
23 revenue for the authority and that is constructed by a private  
24 developer with special expertise in development.

25 (b) Chapter 2267, Government Code, as added by Chapter 1334  
26 (S.B. 1048), Acts of the 82nd Legislature, Regular Session, 2011,  
27 and Chapter 2267, Government Code, as added by Chapter 1129 (H.B.

1 628), Acts of the 82nd Legislature, Regular Session, 2011, do not  
2 apply to a qualifying project of an authority.

3 SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2388 was passed by the House on May 2, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2388 on May 24, 2013, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2388 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor