

1-1 By: Menendez (Senate Sponsor - Van de Putte) H.B. No. 2388  
 1-2 (In the Senate - Received from the House May 6, 2013;  
 1-3 May 8, 2013, read first time and referred to Committee on Veteran  
 1-4 Affairs and Military Installations; May 17, 2013, reported  
 1-5 adversely, with favorable Committee Substitute by the following  
 1-6 vote: Yeas 4, Nays 0; May 17, 2013, sent to printer.)

1-7 COMMITTEE VOTE

|                  | Yea | Nay | Absent | PNV |
|------------------|-----|-----|--------|-----|
| 1-8 Van de Putte | X   |     |        |     |
| 1-9 Birdwell     |     |     | X      |     |
| 1-10 Campbell    | X   |     |        |     |
| 1-11 Davis       | X   |     |        |     |
| 1-12 Rodriguez   | X   |     |        |     |

1-14 COMMITTEE SUBSTITUTE FOR H.B. No. 2388 By: Van de Putte

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the application of certain contracting laws to a  
 1-18 defense base development authority.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. (a) This section takes effect only if the Act of  
 1-21 the 83rd Legislature, Regular Session, 2013, relating to  
 1-22 nonsubstantive additions to and corrections in enacted codes  
 1-23 becomes law.

1-24 (b) Chapter 379B, Local Government Code, is amended by  
 1-25 adding Section 379B.0012 to read as follows:

1-26 Sec. 379B.0012. APPLICATION OF OTHER LAW. (a) In this  
 1-27 section, "qualifying project" means any real estate project  
 1-28 involving the construction of:

1-29 (1) tenant finish-out or construction of a  
 1-30 build-to-suit facility for a tenant who, through the execution of a  
 1-31 lease with an authority, pays for or reimburses the authority for  
 1-32 the cost of the improvements;

1-33 (2) infrastructure improvements, including roads,  
 1-34 driveways, or utility extensions, made in connection with the sale  
 1-35 or lease of property owned by the authority and for which the  
 1-36 proceeds of the sale or the lease are used to reimburse the  
 1-37 authority for the infrastructure improvements; or

1-38 (3) an income-producing facility that generates  
 1-39 revenue for the authority and that is constructed by a private  
 1-40 developer with special expertise in development.

1-41 (b) Chapters 2267 and 2269, Government Code, do not apply to  
 1-42 a qualifying project of an authority.

1-43 SECTION 2. (a) This section takes effect only if the Act of  
 1-44 the 83rd Legislature, Regular Session, 2013, relating to  
 1-45 nonsubstantive additions to and corrections in enacted codes does  
 1-46 not become law.

1-47 (b) Chapter 379B, Local Government Code, is amended by  
 1-48 adding Section 379B.0012 to read as follows:

1-49 Sec. 379B.0012. APPLICATION OF OTHER LAW. (a) In this  
 1-50 section, "qualifying project" means any real estate project  
 1-51 involving the construction of:

1-52 (1) tenant finish-out or construction of a  
 1-53 build-to-suit facility for a tenant who, through the execution of a  
 1-54 lease with an authority, pays for or reimburses the authority for  
 1-55 the cost of the improvements;

1-56 (2) infrastructure improvements, including roads,  
 1-57 driveways, or utility extensions, made in connection with the sale  
 1-58 or lease of property owned by the authority and for which the  
 1-59 proceeds of the sale or the lease are used to reimburse the  
 1-60 authority for the infrastructure improvements; or

2-1 (3) an income-producing facility that generates  
2-2 revenue for the authority and that is constructed by a private  
2-3 developer with special expertise in development.

2-4 (b) Chapter 2267, Government Code, as added by Chapter 1334  
2-5 (S.B. 1048), Acts of the 82nd Legislature, Regular Session, 2011,  
2-6 and Chapter 2267, Government Code, as added by Chapter 1129 (H.B.  
2-7 628), Acts of the 82nd Legislature, Regular Session, 2011, do not  
2-8 apply to a qualifying project of an authority.

2-9 SECTION 3. This Act takes effect immediately if it receives  
2-10 a vote of two-thirds of all the members elected to each house, as  
2-11 provided by Section 39, Article III, Texas Constitution. If this  
2-12 Act does not receive the vote necessary for immediate effect, this  
2-13 Act takes effect September 1, 2013.

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