

By: Lavender

H.B. No. 3904

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the TexAmericas Center.

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

SECTION 1. Section 3503.003(a), Special District Local Laws Code, is amended to read as follows:

(a) The authority is created to:

(1) accept title on approval by, and in coordination with, the governor to all or a portion of the property on, adjacent to, or related to the property described by Section 3503.004 from the United States;

(2) promote the location and development of new businesses, industries, and commercial activities on or related to the property;

(3) undertake a project the board considers necessary or incidental to the industrial, commercial, or business development, redevelopment, maintenance, and expansion of new or existing businesses on and for the property described by Section 3503.004, including the acquisition, construction, operation, maintenance, repair, rehabilitation, replacement, improvement, extension, expansion, or enhancement of:

(A) roads, bridges, and rights-of-way;

(B) housing;

(C) property;

(D) police, fire, medical, cultural,

1 educational, and research services, equipment, institutions, and  
2 resources;

3 (E) other community support services;

4 (F) flood control, water, wastewater treatment,  
5 natural gas, electricity, solid waste disposal, steam generation,  
6 communications, and all other utility facilities and services;

7 (G) other infrastructure improvements; and

8 (H) any other services or facilities acquired by  
9 the authority from the United States; [~~and~~]

10 (4) promote or support an active military base located  
11 in the same county as the authority to prevent closure or  
12 realignment of the base and attract new military missions to the  
13 base; and

14 (5) exercise the powers granted to a conservation and  
15 reclamation district under Section 59, Article XVI, Texas  
16 Constitution.

17 SECTION 2. Section 3503.101(b), Special District Local Laws  
18 Code, is amended to read as follows:

19 (b) The authority may exercise any power or duty necessary  
20 or appropriate to carry out a project described by Section  
21 3503.003(a)(3) and the purposes of this chapter, including the  
22 power to:

23 (1) sue and be sued, and plead and be impleaded, in its  
24 own name;

25 (2) adopt an official seal;

26 (3) adopt, enforce, and amend rules for the conduct of  
27 its affairs;

1           (4) acquire, hold, own, pledge, and dispose of its  
2 revenue, income, receipts, and money from any source;

3           (5) select its depository;

4           (6) acquire, own, rent, lease, accept, hold, or  
5 dispose of any property, or any interest in property, including  
6 rights or easements, in performing its duties and exercising its  
7 powers under this chapter, by purchase, exchange, gift, assignment,  
8 sale, lease, or other method;

9           (7) hold, manage, operate, or improve the property;

10          (8) sell, assign, lease, encumber, mortgage, or  
11 otherwise dispose of property, or any interest in property, and  
12 relinquish a property right, title, claim, lien, interest,  
13 easement, or demand, however acquired;

14          (9) perform an activity authorized by Subdivision (8)  
15 by public or private sale, with or without public bidding,  
16 notwithstanding any other law;

17          (10) lease or rent any land and building, structure,  
18 or facility from or to any person to carry out a chapter purpose;

19          (11) request and accept an appropriation, grant,  
20 allocation, subsidy, guarantee, aid, service, labor, material, or  
21 gift, from the federal government, the state, a public agency or  
22 political subdivision, or any other source;

23          (12) operate and maintain an office and appoint and  
24 determine the duties, tenure, qualifications, and compensation of  
25 officers, employees, agents, professional advisors and counselors,  
26 including financial consultants, accountants, attorneys,  
27 architects, engineers, appraisers, and financing experts, as

1 considered necessary or advisable by the board;

2 (13) borrow money and issue bonds, payable solely from  
3 all or a portion of any authority revenue, by resolution or order of  
4 the board and without the necessity of an election;

5 (14) set and collect rents, rates, fees, and charges  
6 regarding the property and any services provided by the authority;

7 (15) exercise the powers Chapters 373 and 380, Local  
8 Government Code, grant to a municipality for the development of  
9 housing and expansion of economic development and commercial  
10 activity;

11 (16) exercise the powers Chapter 49, Water Code,  
12 grants to a general-law district;

13 (17) exercise the powers Chapter 54, Water Code,  
14 grants to a municipal utility district;

15 (18) exercise the powers Chapter 552, Transportation  
16 Code, grants to a road utility district;

17 (19) exercise the powers Subchapter C, Chapter 271,  
18 Local Government Code, grants to a municipality or county;

19 (20) exercise the powers Chapter 552 [~~402~~], Local  
20 Government Code, grants to a municipality for the provision of  
21 municipal utilities;

22 (21) contract and be contracted with, in the  
23 authority's own name, another person in the performance of the  
24 authority's powers or duties to carry out a project described by  
25 Section 3503.003(a)(3), or to accomplish the purposes of this  
26 chapter for a period of years, on the terms, and by competitive  
27 bidding or by negotiated contract, all as the board considers

1 appropriate, desirable, and in the best interests of the authority  
2 and the accomplishment of chapter purposes;

3 (22) acquire, hold, own, sell, assign, lease,  
4 encumber, mortgage, or otherwise dispose of any real, personal, or  
5 mixed property located outside the perimeter of the property  
6 described by Section 3503.004 if the other property enhances or  
7 facilitates the development, redevelopment, maintenance, or  
8 expansion of new and existing businesses, industry, or commercial  
9 activity on the property;

10 (23) exercise the powers Chapter 22, Transportation  
11 Code, grants to a municipality or county;

12 (24) exercise the powers Chapter 379B, Local  
13 Government Code, grants to a defense base development authority;  
14 [~~and~~]

15 (25) exercise the powers of a municipality under  
16 Chapters 211 and 212, Local Government Code, in the territory of the  
17 authority, including an area of the authority that is in the  
18 boundaries of a municipality's limited purpose jurisdiction and  
19 extraterritorial jurisdiction. On annexation of an area of the  
20 authority for full purposes by a municipality, the authority's  
21 power to regulate the area under Chapters 211 and 212 expires. The  
22 authority regains the power in an area if the municipality  
23 disannexes the area; and

24 (26) fund and carry out a project the board determines  
25 will promote or support an active military base located in the same  
26 county as the authority to prevent closure or realignment of the  
27 base and attract new military missions to the base, including a

1 project to create jobs, retain jobs, grant or loan money to a  
2 federal entity, make improvements to infrastructure, buildings, or  
3 land, or acquire land.

4 SECTION 3. (a) The legal notice of the intention to  
5 introduce this Act, setting forth the general substance of this  
6 Act, has been published as provided by law, and the notice and a  
7 copy of this Act have been furnished to all persons, agencies,  
8 officials, or entities to which they are required to be furnished  
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
10 Government Code.

11 (b) The governor, one of the required recipients, has  
12 submitted the notice and Act to the Texas Commission on  
13 Environmental Quality.

14 (c) The Texas Commission on Environmental Quality has filed  
15 its recommendations relating to this Act with the governor, the  
16 lieutenant governor, and the speaker of the house of  
17 representatives within the required time.

18 (d) All requirements of the constitution and laws of this  
19 state and the rules and procedures of the legislature with respect  
20 to the notice, introduction, and passage of this Act are fulfilled  
21 and accomplished.

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