

By: Martinez

H.B. No. 3040

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of certain economic development  
3 corporations to undertake and operate transportation-related  
4 projects.

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

6 SECTION 1. Subchapter D, Chapter 377, Local Government  
7 Code, is amended by adding Section 377.075 to read as follows:

8 Sec. 377.075. AIRPORT FACILITIES OR OTHER PROJECTS BY  
9 CORPORATIONS CREATED IN CERTAIN BORDER MUNICIPALITIES. (a) This  
10 section applies only to a district created in the jurisdiction of a  
11 municipality, any part of which is located within 25 miles of an  
12 international border.

13 (b) For a district to which this section applies,  
14 "development project" includes the land, buildings, facilities,  
15 infrastructure, and improvements that:

16 (1) the board finds are required or suitable for the  
17 development or promotion of new or expanded business enterprises  
18 through transportation facilities including airports, hangars,  
19 railports, rail switching facilities, maintenance and repair  
20 facilities, cargo facilities, marine ports, inland ports, mass  
21 commuting facilities, parking facilities, and related  
22 infrastructure located on or adjacent to an airport or railport  
23 facility; or

24 (2) are undertaken by the district if the

1 municipality, the jurisdiction of which the district is located in,  
2 has, at the time the board approves the project:

- 3 (A) a population of less than 50,000; or  
4 (B) an average rate of unemployment that is  
5 greater than the state average rate of unemployment during the most  
6 recent 12-month period for which data is available that precedes  
7 the date the project is approved.

8 (c) The district may own and operate as a business a project  
9 authorized by this section.

10 SECTION 2. Section 501.106(b), Local Government Code, is  
11 amended to read as follows:

12 (b) For a corporation to which this section applies, in this  
13 subtitle, "project" includes the land, buildings, facilities,  
14 infrastructure, and improvements that:

15 (1) the corporation's board of directors finds are  
16 required or suitable for the development or promotion of new or  
17 expanded business enterprises through transportation facilities  
18 including airports, hangars, railports, rail switching facilities,  
19 maintenance and repair facilities, cargo facilities, marine ports,  
20 inland ports, mass commuting facilities, parking facilities, and  
21 related infrastructure located on or adjacent to an airport or  
22 railport facility [~~expansion of airport facilities~~]; or

23 (2) are undertaken by the corporation if the  
24 municipality that authorized the creation of the corporation has,  
25 at the time the corporation approves the project as provided by this  
26 subtitle:

27 (A) a population of less than 50,000; or

1                   (B) an average rate of unemployment that is  
2 greater than the state average rate of unemployment during the most  
3 recent 12-month period for which data is available that precedes  
4 the date the project is approved.

5           SECTION 3. Section [501.160](#)(d), Local Government Code, is  
6 amended to read as follows:

7           (d) A corporation has all the powers necessary to own and  
8 operate a project as a business if:

9                   (1) the project is a military installation or military  
10 facility that has been closed or realigned, including a military  
11 installation or facility closed or realigned under the Defense Base  
12 Closure and Realignment Act of 1990 (10 U.S.C. Section 2687 note),  
13 as amended; or

14                   (2) the project is authorized under Section [501.106](#).

15           SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section [39](#), Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2015.