By:  Menéndez S.B. No. 1861

(In the Senate - Filed March 7, 2019; March 18, 2019, read first time and referred to Committee on Intergovernmental Relations; April 11, 2019, reported favorably by the following vote: Yeas 6, Nays 0; April 11, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Lucio                X

Schwertner                     X

Alvarado             X

Campbell             X

Fallon               X

Menéndez             X

Nichols              X

A BILL TO BE ENTITLED

AN ACT

relating to certain public facilities financed, owned, and operated by a public facility corporation.

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

SECTION 1.  Section 303.021, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c)  This chapter expressly authorizes a sponsor to which Section 303.042(d) does not apply to create a corporation to finance, own, and operate a multifamily residential development that meets the requirements of Section 303.042(d-1).

SECTION 2.  Section 303.042, Local Government Code, is amended by adding Subsections (d-1) and (g) to read as follows:

(d-1)  An exemption under this section for a multifamily residential development that is owned by a corporation created under this chapter and that is not otherwise described by Subsection (d) applies only if the development meets the requirements of Subsection (d)(2) or accomplishes a governmental purpose of the sponsor.

(g)  For purposes of Subsections (a) and (b), if a corporation created under this chapter owns a multifamily residential development described by Subsection (d-1), the sponsor of the corporation is considered the user of the public facility.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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