

By: Sanford

H.B. No. 2799

A BILL TO BE ENTITLED

AN ACT

relating to economic development.

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

SECTION 1. Section 552.131(c), Government Code, is amended to read as follows:

(c) This [~~After an agreement is made with the business prospect, this~~] section does not except from the requirements of Section 552.021 information about a financial or other incentive being offered to a a [~~the~~] business prospect:

(1) by a a [~~the~~] governmental body; or

(2) by another person, if the financial or other incentive may directly or indirectly result in the expenditure of public funds by a governmental body or a reduction in revenue received by a governmental body from any source.

SECTION 2. Subchapter B, Chapter 312, Tax Code, is amended by adding Section 312.2035 to read as follows:

Sec. 312.2035. APPLICATION FOR TAX ABATEMENT. (a) The owner of taxable real property located in a municipality may apply to the governing body of the municipality for a tax abatement.

(b) An owner of property described by Subsection (a) may submit an application under that subsection before the date the property is located in a reinvestment zone if the property is otherwise eligible to be considered for a tax abatement under this subchapter.

1       (c) The governing body of a municipality that receives an  
2 application under this section may approve or refuse to approve the  
3 application. If the governing body elects to approve the  
4 application, the body must do so by an affirmative vote of a  
5 majority of the members of the body at a regularly scheduled meeting  
6 of the body. The governing body may approve the application before  
7 the property is located in a reinvestment zone.

8       (d) The governing body of a municipality may not enter into  
9 a tax abatement agreement under this subchapter unless the body has  
10 approved an application for the tax abatement under this section.

11       SECTION 3. Section 312.207(a), Tax Code, is amended to read  
12 as follows:

13       (a) To be effective, an agreement made under this subchapter  
14 must be approved by the affirmative vote of a majority of the  
15 members of the governing body of the municipality or other taxing  
16 unit at a regularly scheduled meeting of the governing body. The  
17 governing body of the municipality may not hold the meeting earlier  
18 than the 90th day after the date the governing body approves the  
19 application for the tax abatement that is the subject of the  
20 agreement under Section 312.2035.

21       SECTION 4. The following provisions are repealed:

22               (1) Sections 551.087 and 552.131(b), Government Code;  
23 and

24               (2) Section 313.025(f-1), Tax Code.

25       SECTION 5. Section 552.131, Government Code, as amended by  
26 this Act, applies only to a request for public information that is  
27 received by a governmental body or an officer for public

1 information on or after the effective date of this Act.

2 SECTION 6. Section 312.2035(d), Tax Code, as added by this  
3 Act, and Section 312.207(a), Tax Code, as amended by this Act, apply  
4 only to a tax abatement agreement entered into on or after the  
5 effective date of this Act. A tax abatement agreement entered into  
6 before the effective date of this Act is governed by the law in  
7 effect when the agreement was entered into, and that law is  
8 continued in effect for that purpose.

9 SECTION 7. This Act takes effect September 1, 2019.