

By: Menéndez

S.B. No. 1861

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain public facilities financed, owned, and operated
3 by a public facility corporation.

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

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

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

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

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

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

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

S.B. No. 1861

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2019.