

By: Herrero

H.B. No. 4640

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the Port of Corpus Christi
3 Authority of Nueces County, Texas.

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

5 SECTION 1. Section 5016.0001, Special District Local Laws
6 Code, is amended to read as follows:

7 Sec. 5016.0001. DEFINITIONS. In this chapter:

8 (1) ~~["Adjacent property" means the approximately 433~~
9 ~~acres that the authority owns in San Patricio County that is bounded~~
10 ~~on the east by the western boundary of the former Naval Station~~
11 ~~Ingleside, on the north by Farm-to-Market Road 1069, on the west by~~
12 ~~the corporate limits of the City of Ingleside on the Bay, and on the~~
13 ~~south by the corporate limits of the City of Ingleside on the Bay~~
14 ~~and the north shoreline of Corpus Christi Bay. The term does not~~
15 ~~include property:~~

16 ~~[(A) that the authority purchased from this state~~
17 ~~under former Article 8225, Revised Statutes, or~~

18 ~~[(B) that was granted to the authority by this~~
19 ~~state under any general or special law.~~

20 [(2)] "Authority" means the Port of Corpus Christi
21 Authority of Nueces County, Texas.

22 [(3) "Naval property" means:

23 [(A) the approximately 576.615 acres of land and
24 submerged land in San Patricio and Nueces Counties, improvements,

1 ~~and personal property, if any, that reverted to the authority when~~
2 ~~former Naval Station Ingleside closed, other than property that the~~
3 ~~authority purchased from this state under former Article 8225,~~
4 ~~Revised Statutes, or that was granted to the authority by this state~~
5 ~~under any general or special law; and~~

6 ~~[(B) the adjacent property.]~~

7 (2) ~~[(4)]~~ "Port commission" means the authority's
8 governing body.

9 (3) ~~[(5)]~~ "Port commissioner" means a member of the
10 port commission.

11 SECTION 2. Subchapter A, Chapter 5016, Special District
12 Local Laws Code, is amended by adding Sections 5016.0003 and
13 5016.0004 to read as follows:

14 Sec. 5016.0003. PURPOSE; LEGISLATIVE FINDINGS. The
15 authority is essential to accomplish the purposes of Section 52-a,
16 Article III, and Section 59, Article XVI, Texas Constitution, and
17 other public purposes stated in this chapter. By granting the
18 authority powers under this chapter, the legislature has
19 established a program to accomplish the public purposes set out in
20 Section 52-a, Article III, Texas Constitution.

21 Sec. 5016.0004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

22 (a) The authority serves a public use and benefit.

23 (b) All land and other property included in the authority
24 will benefit from the improvements and services to be provided by
25 the authority under powers conferred by Section 52-a, Article III,
26 and Section 59, Article XVI, Texas Constitution, and other powers
27 granted under this chapter.

1 SECTION 3. Section 5016.0101, Special District Local Laws
2 Code, is amended to read as follows:

3 Sec. 5016.0101. USE [~~AND DISPOSITION~~] OF CERTAIN [~~NAVAL~~]
4 PROPERTY. (a) This section applies only to:

5 (1) property owned by the authority that is located
6 in:

7 (A) the unincorporated areas of Nueces County,
8 other than:

9 (i) areas in the extraterritorial
10 jurisdiction of the City of Corpus Christi; or

11 (ii) lands or flats previously purchased
12 from the State of Texas under former Article 8225, Revised Civil
13 Statutes of Texas, 1925; or

14 (B) the corporate limits of the City of Robstown;
15 or

16 (2) property owned by Nueces County or the City of
17 Robstown:

18 (A) that is leased to the authority or that the
19 authority has the right to develop or improve; and

20 (B) that is located in:

21 (i) the unincorporated areas of Nueces
22 County, other than areas in the extraterritorial jurisdiction of
23 the City of Corpus Christi; or

24 (ii) the corporate limits of the City of
25 Robstown.

26 (b) The authority may use [~~naval~~] property to which this
27 section applies for [~~in ways that replace and enhance the economic~~

1 ~~benefits generated by the former Naval Station Ingleside through~~
2 ~~diversified activities, including uses to foster]:~~

3 (1) job creation and retention;

4 (2) economic development;

5 (3) industry;

6 (4) commerce;

7 (5) manufacturing;

8 (6) housing;

9 (7) recreation; ~~and]~~

10 (8) infrastructure installation on the ~~[naval]~~
11 property; or

12 (9) any other activity essential to accomplish the
13 purposes of Section 52-a, Article III, Texas Constitution.

14 ~~[(b) The port commission may:~~

15 ~~[(1) declare any portion of naval property surplus if~~
16 ~~the property is not needed for a navigation-related project; and~~

17 ~~[(2) sell or lease the surplus property on terms the~~
18 ~~port commission considers advisable to carry out the purposes of~~
19 ~~this chapter.]~~

20 (c) For the purposes described by Subsection (b), the
21 authority may:

22 (1) develop, construct, improve, maintain, equip, and
23 furnish buildings, equipment, facilities, or improvements on or to
24 the property; and

25 (2) lease the property owned by the authority, on
26 terms as the port commission considers advisable, to allow for the
27 development, construction, improvement, maintenance, equipping,

1 and furnishing of buildings, equipment, facilities, or
2 improvements on or to the property [~~Notwithstanding any other law~~
3 ~~and subject to the terms of this subsection, the authority may sell~~
4 ~~or lease property declared surplus under this section with or~~
5 ~~without public bidding. The authority may not sell naval property~~
6 ~~declared surplus under this section in a private sale for less than~~
7 ~~the property's fair market value. The authority shall obtain an~~
8 ~~appraisal of the surplus property, which is conclusive evidence of~~
9 ~~the surplus property's fair market value].~~

10 (d) The authority may contract with another person for
11 assistance in accomplishing the purposes of this section on terms
12 [~~by competitive bidding or negotiated contract as~~] the port
13 commission considers appropriate, desirable, and in the
14 authority's best interests.

15 (e) The authority may not issue bonds or other obligations
16 payable from ad valorem taxes to finance a project authorized under
17 this section.

18 SECTION 4. (a) The legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor, one of the required recipients, has
26 submitted the notice and Act to the Texas Commission on
27 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this Act with the governor, the
3 lieutenant governor, and the speaker of the house of
4 representatives within the required time.

5 (d) All requirements of the constitution and laws of this
6 state and the rules and procedures of the legislature with respect
7 to the notice, introduction, and passage of this Act are fulfilled
8 and accomplished.

9 SECTION 5. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2021.