

By: Hughes
(VanDeaver)

S.B. No. 479

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the TexAmericas Center, including its authority to issue bonds.

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

SECTION 1. Section 3503.101(b), Special District Local Laws Code, is amended to read as follows:

(b) The authority may exercise any power or duty necessary or appropriate to carry out a project described by Section 3503.003(a)(3) and the purposes of this chapter, including the power to:

(1) sue and be sued, and plead and be impleaded, in its own name;

(2) adopt an official seal;

(3) adopt, enforce, and amend rules for the conduct of its affairs;

(4) acquire, hold, own, pledge, and dispose of its revenue, income, receipts, and money from any source;

(5) select its depository;

(6) acquire, own, rent, lease, accept, hold, or dispose of any property, or any interest in property, including rights or easements, in performing its duties and exercising its powers under this chapter, by purchase, exchange, gift, assignment, sale, lease, or other method;

(7) hold, manage, operate, or improve the property;

1 (8) sell, assign, lease, encumber, mortgage, or
2 otherwise dispose of property, or any interest in property, and
3 relinquish a property right, title, claim, lien, interest,
4 easement, or demand, however acquired;

5 (9) perform an activity authorized by Subdivision (8)
6 by public or private sale, with or without public bidding,
7 notwithstanding any other law;

8 (10) lease or rent any land and building, structure,
9 or facility from or to any person to carry out a chapter purpose;

10 (11) request and accept an appropriation, grant,
11 allocation, subsidy, guarantee, aid, service, labor, material, or
12 gift, from the federal government, the state, a public agency or
13 political subdivision, or any other source;

14 (12) operate and maintain an office and appoint and
15 determine the duties, tenure, qualifications, and compensation of
16 officers, employees, agents, professional advisors and counselors,
17 including financial consultants, accountants, attorneys,
18 architects, engineers, appraisers, and financing experts, as
19 considered necessary or advisable by the board;

20 (13) borrow money and issue bonds, payable solely from
21 all or a portion of any authority revenue, by resolution or order of
22 the board and without the necessity of an election;

23 (14) set and collect rents, rates, fees, and charges
24 regarding the property and any services provided by the authority;

25 (15) exercise the powers Chapters 373 and 380, Local
26 Government Code, grant to a municipality for the development of
27 housing and expansion of economic development and commercial

- 1 activity;
- 2 (16) exercise the powers Chapter 49, Water Code,
3 grants to a general-law district;
- 4 (17) exercise the powers Chapter 54, Water Code,
5 grants to a municipal utility district;
- 6 (18) exercise the powers Chapter 552, Transportation
7 Code, grants to a road utility district;
- 8 (19) exercise the powers Subchapter C, Chapter 271,
9 Local Government Code, grants to a municipality or county;
- 10 (20) exercise the powers Chapter 552, Local Government
11 Code, grants to a municipality for the provision of municipal
12 utilities;
- 13 (21) contract and be contracted with, in the
14 authority's own name, another person in the performance of the
15 authority's powers or duties to carry out a project described by
16 Section 3503.003(a)(3), or to accomplish the purposes of this
17 chapter for a period of years, on the terms, and by competitive
18 bidding or by negotiated contract, all as the board considers
19 appropriate, desirable, and in the best interests of the authority
20 and the accomplishment of chapter purposes;
- 21 (22) acquire, hold, own, sell, assign, lease,
22 encumber, mortgage, or otherwise dispose of any real, personal, or
23 mixed property located outside the perimeter of the property
24 described by Section 3503.004 if the other property enhances or
25 facilitates the development, redevelopment, maintenance, or
26 expansion of new and existing businesses, industry, or commercial
27 activity on the property;

1 (23) exercise the powers Chapter 22, Transportation
2 Code, grants to a municipality or county;

3 (24) exercise the powers Chapter 379B, Local
4 Government Code, grants to a defense base development authority;

5 (25) exercise the powers of a municipality under
6 Chapters 211 and 212, Local Government Code, in the territory of the
7 authority, including an area of the authority that is in the
8 boundaries of a municipality's limited purpose jurisdiction and
9 extraterritorial jurisdiction. On annexation of an area of the
10 authority for full purposes by a municipality, the authority's
11 power to regulate the area under Chapters 211 and 212 expires. The
12 authority regains the power in an area if the municipality
13 disannexes the area; ~~and~~

14 (26) fund and carry out a project the board determines
15 will promote or support an active military base located in the same
16 county as the authority to prevent closure or realignment of the
17 base and attract new military missions to the base, including a
18 project to create jobs, retain jobs, grant or loan money to a
19 federal entity, make improvements to infrastructure, buildings, or
20 land, or acquire land; and

21 (27) for a fee, provide services or operate facilities
22 inside or outside the boundaries of the authority and this state to
23 promote, enhance, develop, or assist a person in the creation of a
24 new business, industry, or commercial activity in the boundaries of
25 the authority.

26 SECTION 2. Subchapter C, Chapter 3503, Special District
27 Local Laws Code, is amended by adding Section 3503.113 to read as

1 follows:

2 Sec. 3503.113. POWERS AND AUTHORITIES OF DEFENSE BASE
3 DEVELOPMENT AUTHORITY. (a) The authority may exercise the powers
4 given to a defense base development authority created under Chapter
5 379B, Local Government Code.

6 (b) This chapter prevails over Chapter 379B, Local
7 Government Code, in the event of a conflict.

8 SECTION 3. Subchapter E, Chapter 3503, Special District
9 Local Laws Code, is amended by adding Section 3503.205 to read as
10 follows:

11 Sec. 3503.205. OBLIGATIONS AND CREDIT AGREEMENTS. (a) The
12 authority may issue, sell, and deliver obligations and execute
13 credit agreements as provided by Chapter 1371, Government Code.

14 (b) The authority may delegate its authority in connection
15 with the issuance of bonds in the same manner as an issuer under
16 Chapter 1371, Government Code.

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

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

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

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