(C) in relation to which the retailer has an economic development agreement with the municipality that was entered into under Chapter 380, 504, or 505, Local Government Code, or a predecessor statute, before January 1, 2009; and

(D) in relation to which the municipality provided information relating to the economic development agreement as required by Subsection (c-3), as that subsection existed immediately before its expiration; and

(2) the place of business of the retailer at which the retailer first receives the order in the manner described by Subsection (c) is a retail outlet identified in the information required by Subsection (c-3), as that subsection existed immediately before its expiration, as being served by the warehouse on January 1, 2009.

(c-5) This subsection and Subsection (c-4) expire September 1, 2024.

SECTION 2. Section 323.203, Tax Code, is amended by adding Subsections (c-4) and (c-5) to read as follows:

(c-4) Subsection (c) does not apply if:

(1) the taxable item is shipped or delivered from a warehouse:

(A) located in a municipality with a population of 5,000 or less;

(B) that is a place of business of the retailer;

(C) in relation to which the retailer has an economic development agreement with the municipality that was entered into under Chapter 380, 504, or 505, Local Government Code, or a predecessor statute, before January 1, 2009; and

(D) in relation to which the municipality provided information relating to the economic development agreement as required by Section 321.203(c-3), as that subsection existed immediately before its expiration; and

(2) the place of business of the retailer at which the retailer first receives the order in the manner described by Subsection (c) is a retail outlet identified in the information required by Section 321.203(c-3), as that subsection existed immediately before its expiration, as being served by the warehouse on January 1, 2009.

(c-5) This subsection and Subsection (c-4) expire September 1, 2024.

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, 2013.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 23, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 2013: Yeas 194, Nays 0, two present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1343

S.B. No. 1023

AN ACT
relating to the renewal and extension and modification of a 99-year lease of certain state property to the City of Austin.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 34 (H.B. 215), General Laws, Acts of the 33rd Legislature, Regular Session, 1913, is amended by amending Section 2 and adding Sections 2A and 2B to read as follows:

Sec. 2. That the State of Texas hereby cedes and grants to the City of Austin the plot or square of land described in Section 1 of the Act for a period of ninety-nine years beginning on 3556
August 15, 2016, [from the taking effect hereof] and said City through its municipal authorities, be and the same is hereby authorized and empowered to:

1. Establish, operate and maintain upon the land described by Section 1 of this Act [said block bounded on the North by Fifth street, on the south by Fourth street, on the East by Guadalupe street, and on the West by San Antonio street], a municipal auditorium and market, in which auditorium, theatres, operas, concerts, lectures, fairs, shows and public exhibitions and entertainments generally can be conducted with or without pay; and in this market all kinds of produce may be bought and sold either in the open square or in a market house constructed thereon; and

2. Construct, operate, and maintain public amenities on the land described by Section 1 of this Act.

Sec. 2A. (a) Subject to Section 2B of this Act, the State of Texas grants to the City of Austin for a period of 99 years beginning on August 15, 2016, a lease of the property described as follows:

1. Tract 1. Wooldridge Park. The northwest Public Square now known as Wooldridge Park, bounded on the north by Mulberry Street (now W. 10th Street), on the east by Guadalupe Street, on the south by Ash Street (now W. 9th Street), and on the west by San Antonio Street, and being 276 feet square, as delineated on the map titled “Plan of the City of Austin 1840” filed in the General Land Office; and

2. Tract 2. Brush Park. The southeast Public Square now known as Brush Park, bounded on the north by Pine Street (now E. 5th Street), on the east by Neches Street, on the south by Cedar Street (now E. 4th Street), and on the west by Trinity Street, and being 276 feet square as delineated on the map titled “Plan of the City of Austin 1840” filed in the General Land Office.

(b) Except as provided by Subsection (c) of this section, the City of Austin may only use the tracts described by Subsection (a) of this section as municipal parks in which:

1. Theaters, operas, concerts, lectures, fairs, shows, and public exhibitions and entertainments generally can be conducted with or without pay; and

2. Produce may be bought and sold.

(c) The City of Austin may construct, operate, and maintain public amenities on the tracts described by Subsection (a) of this section.

Sec. 2B. (a) The state does not by this Act part with any title, color of title or interest which it now owns in the property described in this Act [bill], except as granted herein.

(b) In the event, however, the City of Austin should fail to use the property [plot of land] described in Section 1 or 2A(a)(1) or (2) of this Act [herein] for the purpose or purposes designated, that property [the same] shall revert to the State as upon breach of condition subsequent.

(c) The legislature, by concurrence of both houses, may terminate the lease, or a portion thereof, at any time for any reason.

SECTION 2. This Act takes effect August 15, 2016.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on March 24, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 15, 2013: Yeas 144, Nays 3, two present not voting.

Approved June 14, 2013.

Effective August 15, 2016.

CHAPTER 1344

S.B. No. 1116

AN ACT

relating to the creation, administration, powers, duties, functions, operations, and financing of the