

BILL ANALYSIS

Senate Research Center

S.B. 2052
By: Estes
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Development Corporation Act, recently codified as Subtitle (C)(1), Local Government Code, is the organizing law used by hundreds of Texas municipalities to foster economic development. Currently, the term "inland port" is not included in the definition of a transportation facility under provisions governing development corporations. Since the passage of H.B. 3440, 80th Legislature, Regular Session, 2007, relating to development corporations and airport facilities, economic development professionals have learned that including this term in the definition of a transportation facility would help to retain and create additional economic development projects across Texas.

As proposed, S.B. 2052 includes inland port in the definition of a project, for purposes of projects that are authorized to be undertaken by development corporations and gives effect to changes made by Chapter 1102, H.B. 3440, Acts of the 80th Legislature, Regular Session, 2007.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 501.101, Local Government Code, as effective September 1, 2009, as follows:

Sec. 501.101. PROJECTS RELATED TO CREATION OR RETENTION OF PRIMARY JOBS. Redefines "project" to include the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are found by the board of directors of a corporation to be required or suitable for the development, retention, or expansion of transportation facilities, including railports, rail switching facilities, maintenance and repair facilities, rather than airport maintenance and repair facilities, cargo facilities, rather than aircargo facilities, related infrastructure located on or adjacent to an airport or railport facility, marine ports, inland ports, mass commuting facilities, and parking facilities.

SECTION 2. Amends Section 505.1561, Local Government Code, as effective September 1, 2009, to redefine "project" and make conforming changes.

SECTION 3. (a) Provides that in accordance with Section 311.031(c) (relating to the repeal of a statute by a code that does not affect an amendment, revision, or reenactment of the statute), Government Code, which gives effect to a substantive amendment enacted by the same legislature that codifies the amended statute, the text of Sections 501.101 and 505.1561, Local Government Code, as set out in this Act, gives effect to changes made by Chapter 1102 (H.B. 3440), Acts of the 80th Legislature, Regular Session, 2007.

(b) Provides that to the extent of any conflict, this Act prevails over another Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 4. Effective date: September 1, 2009.