

By: Murphy

H.B. No. 1982

A BILL TO BE ENTITLED

AN ACT

relating to the enterprise zone program.

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

SECTION 1. Section 2303.004, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Notwithstanding Subsection (a), the governing body of a county ~~[with a population of one million or more]~~ may nominate for designation as an enterprise project a project or activity of a qualified business that is located within the jurisdiction of a municipality located in the county. ~~[For purposes of this subsection, a county during any biennium may not use in any one municipality more than three of the maximum number of designations the county is permitted under Section 2303.406(d)(2).]~~

(c) Before a county makes a nomination under Subsection (b), the nominating county must enter into an interlocal agreement with the municipality that has jurisdiction of the territory in which the nominated project or activity will be located. The interlocal agreement must specify that either the nominating county or the municipality that has jurisdiction of the territory in which the nominated project or activity will be located is the governmental body having administration authority under Section 2303.201 and that both the nominating county and municipality approve the nomination. For purposes of this subsection, a county during any

1 biennium may use the maximum number of designations the county is
2 permitted under Section 2303.406(d) within the territory described
3 by this subsection.

4 SECTION 2. Section 2303.201, Government Code, is amended to
5 read as follows:

6 Sec. 2303.201. ADMINISTRATION BY GOVERNING BODY. (a) The
7 governing body of an enterprise zone is the governing body of the
8 municipality or county with jurisdiction over the area designated
9 as an enterprise zone, except as provided by Subsection (b).

10 (b) The governing body with administration authority over
11 an enterprise project nominated under Section 2303.004(c) is
12 determined under the terms of an interlocal agreement required by
13 that subsection.

14 SECTION 3. Section 2303.4052, Government Code, is amended
15 to read as follows:

16 Sec. 2303.4052. REQUIRED INFORMATION FROM NOMINATING BODY.
17 Before nominating the project or activity of a qualified business
18 for designation as an enterprise project, the nominating body must
19 submit to the bank:

20 (1) a certified copy of the ordinance or order, as
21 appropriate, or reference to an ordinance or order as required
22 by Section 2303.4051;

23 (2) a transcript of all public hearings conducted with
24 respect to local incentives available to qualified businesses
25 within the jurisdiction of the governmental entity nominating the
26 project or activity, regardless of whether those businesses are
27 located in an enterprise zone;

1 (3) the name, title, address, telephone number, and
2 electronic mail address of the nominating body's liaison designated
3 under Section 2303.204;

4 (4) if the business is seeking job retention benefits,
5 documentation showing the number of employment positions at the
6 qualified business site; ~~and~~

7 (5) any interlocal agreement required under Section
8 2303.004(c) that states:

9 (A) which governing body has the administration
10 authority under Section 2303.201; and

11 (B) that both the county in which the project or
12 activity is located and the municipality in whose jurisdiction the
13 project or activity is located approve the nomination of the
14 project or activity; and

15 (6) any additional information the bank may require.

16 SECTION 4. Section 2303.406, Government Code, is amended by
17 adding Subsection (d-1) to read as follows:

18 (d-1) An enterprise project designation may be split into
19 two half designations. A half designation uses one-half of one of
20 the enterprise project designations allowed to a nominating body
21 under Subsection (d) and to the bank under Section 2303.403.

22 SECTION 5. Section 2303.407, Government Code, is amended by
23 adding Subsection (e) to read as follows:

24 (e) The maximum number of jobs that the bank may allocate to
25 an enterprise project split into two half designations as provided
26 by Section 2303.406(d-1) is 250.

27 SECTION 6. Section 2303.4071, Government Code, is amended

1 by amending Subsection (a) and adding Subsection (e) to read as
2 follows:

3 (a) In this section:

4 (1) "Double [~~,"double]~~ jumbo enterprise project" and
5 "triple jumbo enterprise project" have the meanings assigned by
6 Section 2303.407.

7 (2) "Half enterprise project" means an enterprise
8 project split into two half designations as provided by Section
9 2303.406(d-1).

10 (e) A half enterprise project is eligible for a maximum
11 refund not to exceed \$125,000 in each state fiscal year and is
12 subject to the capital investment and job allocation requirements
13 under Section 2303.407(b)(1), (2), or (3).

14 SECTION 7. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2013.