

1-1 By: Campbell S.B. No. 2022
1-2 (In the Senate - Filed March 30, 2015; April 1, 2015, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 18, 2015, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 18, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 2022 By: Campbell

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the Driftwood Economic Development Municipal
1-20 Management District.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 3858.052, Special District Local Laws
1-23 Code, is amended to read as follows:

1-24 Sec. 3858.052. APPOINTMENT OF DIRECTORS. The board
1-25 consists of the following directors:

1-26 (1) Position 1: a person appointed by the
1-27 commissioners court;

1-28 (2) Position 2: a person appointed by the
1-29 commissioners court;

1-30 (3) Position 3: a person appointed by the city
1-31 council;

1-32 (4) Position 4: a person appointed by the city
1-33 council; and

1-34 (5) Position 5: a person appointed by the
1-35 commissioners court, who must be the individual, the designee of
1-36 the individual, or the designee of the entity that ~~who~~ owns more
1-37 property in the district than any other individual or entity,
1-38 except that if the commissioners court is unable to identify a
1-39 qualified person ~~[qualified for Position 5]~~ who is willing and able
1-40 to serve, the commissioners court shall appoint to the place a
1-41 person who is:

1-42 (A) at least 18 years old; and

1-43 (B) a resident of this state.

1-44 SECTION 2. Subchapter B, Chapter 3858, Special District
1-45 Local Laws Code, is amended by adding Section 3858.057 to read as
1-46 follows:

1-47 Sec. 3858.057. QUALIFICATIONS OF DIRECTORS; PARTICIPATION
1-48 IN VOTING. (a) Sections 375.063 and 375.072, Local Government
1-49 Code, do not apply to a director.

1-50 (b) An official or employee of a public entity may serve on
1-51 the board. The common law doctrine of incompatibility does not
1-52 disqualify an official or employee of a public entity from serving
1-53 as a director.

1-54 (c) A person appointed to serve on the board under this
1-55 chapter is qualified to serve as a director and participate in all
1-56 votes pertaining to the business of the district regardless of any
1-57 other statutory provision to the contrary.

1-58 (d) A director may participate in discussion and vote on an
1-59 action even if the director is an official or employee of a public
1-60 entity and the action relates to assessments on or contracts with

2-1 the public entity.

2-2 SECTION 3. Section 3858.102(a), Special District Local Laws
2-3 Code, is amended to read as follows:

2-4 (a) The district may provide, or it may enter into contracts
2-5 with a governmental or private entity to provide, the following
2-6 types of improvement projects or services or activities in support
2-7 of or incidental to those projects or services:

2-8 (1) the planning, design, construction, improvement,
2-9 operation, and maintenance of:

2-10 (A) irrigation facilities and landscaping;

2-11 (B) highway right-of-way or transit corridor
2-12 beautification and improvement;

2-13 (C) lighting, banners, and signs;

2-14 (D) a street or sidewalk;

2-15 (E) a hiking or cycling path or trail;

2-16 (F) a park, lake, garden, recreational facility,
2-17 sports facility, open space, scenic area, animal habitat, or
2-18 related exhibit or preserve;

2-19 (G) a fountain, plaza, or pedestrian mall;

2-20 (H) a drainage or storm-water detention
2-21 improvement;

2-22 (I) a wastewater treatment and disposal
2-23 facility;

2-24 (J) water, wastewater, or drainage facilities or
2-25 services;

2-26 (K) a water quality protection facility;

2-27 (L) [~~(K)~~] a facility to enhance groundwater
2-28 recharge, including a rainwater collection and harvesting system;

2-29 (M) [~~(L)~~] an alternative energy facility; or

2-30 (N) [~~(M)~~] solid waste management services,
2-31 including garbage collection, recycling, and composting;

2-32 (2) the planning, design, construction, acquisition,
2-33 lease, rental, improvement, maintenance, installation, and
2-34 management of and provision of furnishings for a facility for:

2-35 (A) a conference, convention, or exhibition;

2-36 (B) a manufacturer, consumer, or trade show;

2-37 (C) a civic, community, or institutional event;

2-38 or
2-39 (D) an exhibit, display, attraction, special
2-40 event, or seasonal or cultural celebration or holiday; or

2-41 (3) a special or supplemental service for the
2-42 improvement and promotion of the district or for the protection of
2-43 public health and safety in the district, including:

2-44 (A) advertising;

2-45 (B) promotion;

2-46 (C) tourism;

2-47 (D) health and sanitation;

2-48 (E) public safety;

2-49 (F) security;

2-50 (G) fire protection or emergency medical
2-51 services;

2-52 (H) business recruitment;

2-53 (I) development;

2-54 (J) elimination of traffic congestion;

2-55 (K) recreational, educational, or cultural
2-56 improvements, enhancements, and services; [~~or~~]

2-57 (L) water, wastewater, or drainage facilities or
2-58 services; or

2-59 (M) any similar public improvement, facility, or
2-60 service.

2-61 SECTION 4. Subchapter C, Chapter 3858, Special District
2-62 Local Laws Code, is amended by adding Section 3858.1025 to read as
2-63 follows:

2-64 Sec. 3858.1025. ECONOMIC DEVELOPMENT. (a) The district
2-65 may engage in activities that accomplish the economic development
2-66 purposes of the district.

2-67 (b) The district may establish and provide for the
2-68 administration of one or more programs to promote state or local
2-69 economic development and to stimulate business and commercial

3-1 activity in the district, including programs to:
3-2 (1) make loans and grants of public money; and
3-3 (2) provide district personnel and services.
3-4 (c) The district may create economic development programs
3-5 and exercise the economic development powers that Chapter 380,
3-6 Local Government Code, provides to a municipality.
3-7 SECTION 5. Section 3858.104(a), Special District Local Laws
3-8 Code, is amended to read as follows:
3-9 (a) The district may adopt and enforce rules:
3-10 (1) to administer or operate the district or any
3-11 service provided by the district;
3-12 (2) for the use, enjoyment, availability, protection,
3-13 security, and maintenance of the district's property and
3-14 facilities; or
3-15 (3) to provide for public safety and security in the
3-16 district.
3-17 SECTION 6. This Act takes effect September 1, 2015.

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