

SUBJECT: Authority of certain counties to develop a parks and recreation system

COMMITTEE: Border and International Affairs — favorable, without amendment

VOTE: 7 ayes — T. King, Frost, Castro, Hardcastle, Hernandez, Merritt, Pickett

WITNESSES: None

BACKGROUND: Local Government Code, ch. 334 governs sports and community venues in cities and counties.

Local Government Code, sec. 334.001(4) defines venue to mean:

- an arena, coliseum, stadium, or other type of area of facility that is used for certain events and charges an admission fee;
- a convention center or related facility owned by the city or county;
- a tourist development area along an inland waterway;
- a municipal parks and recreation system, related improvements or additions to the system, or an area or facility that is part of such a system;
- a project authorized under the Development Corporation Act of 1979 (V.T.C.S., art. 5190.6); and
- a watershed protection and preservation project.

Local Government Code, sec. 334.001(5) defines “sports and community venue project” or “venue project” as a venue and related infrastructure that is planned, acquired, established, developed, constructed, or renovated.

Sec. 334.081 allow a city by ordinance or a county by order to impose a sales-and use tax for the support of a venue project, other than a watershed protection and preservation project.

The definition of venue includes a municipal parks and recreation system but does not account for county parks. A county that does not contain a municipality cannot use county sales-and-use tax to develop parks and recreation facilities, and its residents may have limited access to such facilities.

**DIGEST:** HB 1166 would add Local Government Code, sec. 334.008 to allow a county with a population of 2,000 or less, with no incorporated territory of a municipality, to provide for the planning, acquisition, establishment, development, construction, or renovation of a county parks and recreation system as a venue project.

Under the bill, a venue project would include:

- improvements and additions to the county parks and recreation system; and
- an area or facility that is part of the county park and recreations system.

Other provisions of ch. 334 that applied to a municipal venue project for a parks and recreation system would apply to a venue project authorized by HB 1166, and references to a municipality would be considered references to a county to which the bill applied.

A county that authorized a venue project described by this section would maintain authority even if at a later date a part of the county became incorporated in a municipality.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.