CHAPTER 543

S.B. No. 1633

AN ACT
relating to certain restrictions on the composition of a tax increment financing reinvestment zone.

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

SECTION 1. Subsection (a), Section 311.006, Tax Code, is amended to read as follows:
(a) A municipality may not create a reinvestment zone if:
(1) more than 10 percent of the property in the proposed zone, excluding property that is publicly owned, is used for residential purposes; or
(2) the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds:
(A) 20 percent of the total appraised value of taxable real property in the municipality and in the industrial districts created by the municipality, if the municipality is the county seat of a county:
(i) that is adjacent to a county with a population of 3.3 million or more; and
(ii) in which a planned community is located that has 20,000 or more acres of land, that was originally established under the Urban Growth and New Community Development Act of 1970 (42 U.S.C. Section 4501 et seq.), and that is subject to restrictive covenants containing ad valorem or annual variable budget-based assessments on real property; or
(B) 15 percent of the total appraised value of taxable real property in the municipality and in the industrial districts created by the municipality, if Paragraph (A) does not apply to the municipality.

SECTION 2. The changes in law made by this Act apply only to a reinvestment zone created on or after the effective date of this Act. The creation of a reinvestment zone before the effective date of this Act is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.

Passed the Senate on April 30, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 138, Nays 0, one present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 544

S.B. No. 1652

AN ACT
relating to the transfer of certain state property from the Texas Department of Criminal Justice to Mitchell County.

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

SECTION 1. (a) Not later than the 30th day after the effective date of this Act, the Texas Department of Criminal Justice shall transfer to Mitchell County the real property described by Subsection (e) of this section.
(b) Mitchell County shall use the property transferred under this Act only for a purpose that benefits the public interest of the state. If Mitchell County uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to the Texas Department of Criminal Justice.

(c) The Texas Department of Criminal Justice shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must:

(1) provide that:
(A) Mitchell County use the property only for a purpose that benefits the public interest of the state; and
(B) ownership of the property will automatically revert to the Texas Department of Criminal Justice if Mitchell County uses the property for any purpose other than a purpose that benefits the public interest of the state; and
(2) describe the property to be transferred by metes and bounds.

(d) The Texas Department of Criminal Justice shall retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Mitchell County.

(e) The real property referred to in this section is described as follows:
Tract 1
221.72 acres of land out of Section 31, Block 26, T&P Rwy. Co Surveys, Mitchell County, Texas, and being the middle 1/2 of that portion of said Section 31 north of Interstate 20. Described further by metes and bounds as follows:

Beginning: At an iron pin in the north line of said section that is N 76° 38’ 11” E—1184.8’ from the N.W. corner of said Section 31
Thence: N 76° 38’ 11” E—2550.8’ along said north line to an iron pin
Thence: S 12° 51’ 41” E—3325.7’ to an iron pin in the north r/w of Interstate 20
Thence: S 56° 49’ 49” W—2719.9’ along said r/w to an iron pin
Thence: N 12° 51’ 41” W—4247.3’ to the place of beginning and containing 221.72 acres of land more or less.

(f) Mitchell County shall pay any transaction fees resulting from the transfer of property under this Act.

SECTION 2. 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, 2009.

Passed the Senate on April 30, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 142, Nays 0, two present not voting.

Approved June 19, 2009.


CHAPTER 545

S.B. No. 1670

AN ACT

relating to the transfer of certain state property from the Texas Department of Transportation to Polk County.

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

SECTION 1. (a) Not later than September 30, 2009, the Texas Department of Transportation shall transfer to Polk County the real property described by Subsection (f) of this section.