

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1622  
By: Duncan  
Veteran Affairs  
4-21-97  
Committee Report (Substituted)

### **DIGEST**

Currently, Reese Air Force Base is scheduled to close on September 30, 1997. The city and county of Lubbock created the Lubbock Reese Redevelopment Authority Corporation (corporation) to develop a plan to turn the base into a business and industrial park. The corporation was formed in accordance with the U.S. Department of Defense guidelines as a nonprofit corporation. This bill establishes the Lubbock Reese Redevelopment Authority as a governmental entity under Chapter 101 of the Texas Civil Practice and Remedies Code.

### **PURPOSE**

As proposed, S.B. 1622 creates the Lubbock Reese Redevelopment Authority.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the board of directors of the Lubbock Reese Redevelopment Authority in SECTION 2 (Sec. 2310.003(f), Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Creates a new Chapter 2310, Subtitle G, Government Code, entitled "Lubbock Reese Redevelopment Authority."

SECTION 2. Requires the new chapter to read as follows:

#### **CHAPTER 2310. LUBBOCK REESE REDEVELOPMENT AUTHORITY**

##### **SUBCHAPTER A. GENERAL PROVISION**

Sec. 2310.001. DEFINITION. Defines "authority," "board," "county," "city," "property," and "corporation."

Sec. 2310.002. ESTABLISHMENT. Establishes the Lubbock Reese Redevelopment Authority (authority) as an authority and political subdivision of the State of Texas with certain boundaries upon adoption of resolutions by both the city and the county authorizing the authority's establishment.

Sec. 2310.003. BOARD. Sets forth provisions for the composition and administration of the board. Requires the board to adopt rules for its proceedings and may employ and compensate persons to carry out the powers and duties of the authority.

##### **SUBCHAPTER B.**

##### **PURPOSE AND NATURE OF AUTHORITY; POWERS AND DUTIES**

Sec. 2310.021. PURPOSE AND NATURE OF AUTHORITY. Provides that the authority is created to accept title from the United States of America to all or any portion of the real, personal, and mixed property situated within Reese Air Force Base, as described in Section 2310.026. Provides that the authority is a public and political entity and corporate body; and

exercises public and essential governmental functions. Provides that the exercise of a power granted by this chapter is for a public purpose and is a matter of public necessity. Provides that the authority is a governmental unit under Chapter 101, Civil Practice and Remedies Code and the operations of the authority are not proprietary functions for any purpose.

Sec. 2310.022. POWERS AND DUTIES OF THE AUTHORITY. Requires the authority to exercise all powers necessary or convenient to carry out this chapter or to effect a purpose of this chapter, including certain administrative powers.

Sec. 2310.023. EXEMPT FROM TAXATION. Provides that the properties, revenues, and income of the authority are exempt from all taxes levied by the state of a political subdivision of the state.

Sec. 2310.024. DISSOLUTION. Authorizes the authority to be dissolved when all the functions of the authority are performed and completed, and upon approval of the city and county after all debts or obligations have been duly satisfied or retired in a certain manner. Requires any remaining assets of the authority to be conveyed and/or transferred to the city and the county in accordance with the initial proportion of funds contributed by each. Provides that it is the intention of this legislative enactment that the authority will be dissolved after conveyance and sale of all the property.

Sec. 2310.025. SUCCESSOR. Provides that the authority is the successor in interest to the Lubbock Reese Redevelopment Authority Corporation (corporation) and shall succeed to all rights and liabilities of the corporation.

Sec. 2310.026. DESCRIPTION OF TRACTS. Sets forth the description of the eight tracts created under this section.

SECTION 3. Severability clause.

SECTION 4. Emergency clause.  
Effective date: upon passage.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Redesignates proposed SECTION 1 as new Section 2310.001. New SECTION 1 creates a new Chapter 2310, Subtitle G, Government Code entitled "Lubbock Reese Redevelopment Authority."

SECTION 2.

Provides the new format for this chapter which includes the chapter, subchapter headings, and individual section headings that replace SECTIONS 2-8.

Amends Section 2310.002, Government Code, to delete a provision authorizing certain members of the board to originate from the adoption process of the city and county of Lubbock. Makes nonsubstantive changes.

Amends Section 2310.003, Government Code, to make a nonsubstantive change.

Amends Section 2310.021, Government Code, to provide that the authority is created to accept title from the United States of America to all or any portion of the real, personal, and mixed property situated within Reese Air Force Base, as described in Section 2310.026. Sets forth provisions relating to the nature of the authority. Deletes the descriptions of the tracts from this section.

Amends Section 2310.022, Government Code, to require, rather than to authorize, the

authority to have and exercise certain powers necessary or convenient to carry out this chapter. Makes certain changes in relation to the powers required of the authority under this section.

Amends Section 2310.024, Government Code, to provide that the authority will be dissolved when all functions of the authority are performed and completed, and upon approval of the city and county under certain conditions. Requires any remaining assets to be conveyed and/or transferred to the city and county in accordance with the initial proportion of funds contributed by each.

Amends Section 2310.026, Government Code, to provide the description of the tracts created under this chapter. Amends the boundaries of the fifth tract and adds the sixth, seventh, and eighth tract.

SECTION 3. Adds the severability clause.

SECTION 4. Adds the emergency clause and the effective date: upon passage.