



RESOLUTION NO. 20190122-06

**A RESOLUTION REQUESTING THE TEXAS LEGISLATURE TO AMEND THE
AUTHORIZATION STATUTE OF TEXAMERICAS CENTER**

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, the purpose of TexAmericas Center is to convert property which it has received from the United States of America as excess military property to civilian use for the purpose of economic development and job creation in Bowie County, Texas; and

WHEREAS, TexAmericas Center seeks to become more competitive with other entities which are involved in economic development, redevelopment and job creation in the State of Texas; and

WHEREAS, TexAmericas Center believes that it is in the best interest of TexAmericas Center, the citizens of Bowie County, and job creation that it request certain amendments be made to Chapter 3503 of the Texas Special District Local Laws Code to accomplish its goals and statutory powers;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of TexAmericas Center, that it requests the Texas Legislature to amend Chapter 3503 of the Texas Special District Local Laws Code to modify the statute as follows:


1. Add a new subsection to Section 3503.154 to read substantially as follows:

Section 25.07 (a), Tax Code, does not apply to a leasehold or other possessory interest granted by the Authority or a non-profit corporation holding title for the Authority during the period the Authority or non-profit corporation owns the fee title to the property. A project or other improvement upon the property of the Authority or non-profit corporation is exempt from ad valorem taxation under Section 11.11, Tax Code, during the period the property and/or the project is owned by the Authority or its non-profit corporation.


BE IT FURTHER RESOLVED that the Executive Director/CEO and the Chairman of the Board of Directors shall be and each is hereby authorized to take such actions as may be necessary to introduce such legislation, including the publication and notice of special legislation as required

by the Texas Constitution and the Texas Government Code, and to work with the representatives and the legislature to accomplish the amendments to the statute.

PASSED and APPROVED this 22nd day of January, 2019.



Boyd Sartin, Chairman of the Board

ATTEST:


Ben King, Secretary

NOTICE OF INTENT TO INTRODUCE A BILL BEFORE THE LEGISLATURE

Notice is hereby given that TexAmericas Center intends to request the introduction of a Bill in the 2019 regular session of the Texas Legislature, the general purposes, nature and substance of which are as follows:

To provide that Section 25.07(a) of the Texas Tax Code does not apply to a leasehold or other possessory interest which TexAmericas Center or a non-profit corporation holding title for TexAmericas Center has granted or leased to a third party as long as the fee title to said property is owned by TexAmericas Center or its non-profit corporation.

This general description of the provisions to be contained in such Bill is not intended to be exclusive, but only to express the general purpose, nature and substance thereof. The Bill may also contain other provisions and confer other powers in connection with the general purpose, nature and substance stated above.

This notice is given in accordance with the requirements of Article III, Section 57 and Article XVI, Section 59 (d) of the Texas Constitution and Section 313.002 of the Texas Government Code.



Boyd Sartin, Chairman, Board of Directors

REQUEST FOR AMENDMENT TO CHAPTER 3503 TEXAS SPECIAL DISTRICT LOCAL LAWS CODE

The Board of Directors of TexAmericas Center request the Texas Legislature to make the following amendment to Chapter 3503, Texas Special District Local Laws Code which governs the operations of TexAmericas Center, to-wit:

Add a new subsection to Section 3503.154 to read as follows:

Section 25.07 (a), Tax Code, does not apply to a leasehold or other possessory interest granted by the Authority or a non-profit corporation holding title for the Authority during the period the Authority or non-profit corporation owns the fee title to the property. A project or other improvement upon the property of the Authority or non-profit corporation is exempt from ad valorem taxation under Section 11.11, Tax Code, during the period the property and/or the project is owned by the Authority or its non-profit corporation.

REASONS FOR THE REQUESTED LEGISLATION

TexAmericas Center is a Special Purpose District whose purpose is to accept title of closed military bases and to promote the development of new businesses, industries, commercial activities on or related to the property and to undertake such projects as necessary to accomplish that purpose. Job creation is a priority. The purpose of TexAmericas Center is thus substantially similar to a Defense Base Development Authority created under Chapter 379 B. of the Texas Local Government Code. It is also similar in purpose to a Type B Development Corporation organized under Chapter 505 of the Texas Local Government Code. The legislation governing both the Defense Base Redevelopment Authorities and the Type B Development Corporations classify the property and projects of those entities as being owned, used, and held for a public purpose and specifically provide that the property is not taxable under Tax Code Section 11.11 and that Section 2507 (a) of the Tax Code does not apply to a leasehold or other possessory interest in property owned by those entities.

TexAmericas Center, a Redevelopment Authority for closed military bases which was created prior to the enactment of Chapter 379 B of the Local Government Code does not enjoy the same benefits as those types of entities or of Type B Development Corporations. It is thus at a disadvantage when competing for new companies to come to the property owned by TexAmericas Center for purposes of economic development and job creation. TexAmericas Center requests the legislature to put it on an equal footing with other Defense Base Redevelopment Authorities and Type B Development Corporations.