

CHAPTER 3

S.B. No. 4

AN ACT

relating to the creation of the Texas Major Employer Development Corporation and the issuance of revenue bonds for major industrial and manufacturing activities.

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

SECTION 1. Subchapter E, Chapter 481, Government Code, is amended by adding Section 481.078 to read as follows:

*Sec. 481.078. MAJOR EMPLOYER DEVELOPMENT PROGRAMS. (a) The department may develop and plan programs for the purpose of promoting and encouraging the location and expansion of major industrial and manufacturing enterprises within this state and may coordinate, with the consent of local governments, the activities of the local governments related to the programs, including financing options available under existing law and this section for that purpose.*

*(b) To assist the department in exercising its powers under Subsection (a), the Texas Major Employer Development Corporation is created to assist the department and act on behalf of the department for purposes of this section. The corporation shall be incorporated under this subchapter by filing articles of incorporation approved by resolution of the board with the secretary of state. The corporation shall be governed by a board of directors appointed by the board.*

*(c) The corporation has:*

*(1) all powers granted to a development corporation under the Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), except those powers described by Sections 4A and 4B of that Act;*

*(2) all powers of the department granted under this subchapter; and*

*(3) all powers of a nonprofit corporation granted under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes), except as limited by this subchapter.*

*(d) All revenue bonds issued by the corporation must state on their face that the bonds are payable solely from the revenues pledged for that purpose and that the bonds do not and shall not constitute a legal or moral obligation of the state, the department, or any other agency of the state.*

*(e) Bonds of the corporation may not be issued unless approved by the department, by the bond review board, and, as to legality, by the attorney general.*

*(f) The corporation shall make a good faith effort to assist disadvantaged businesses to receive at least 10 percent of the total value of each construction contract award for construction and the purchase of supplies, materials, services, and equipment that the corporation expects to make in connection with the issuance of bonds and any lease, sale, and loan agreement made under this section by the corporation. The corporation shall annually report to the legislature and the governor on the level of disadvantaged business participation as it pertains to the corporation's contracts. This report shall include recommendations for the improvement of disadvantaged business opportunities with the corporation. "Disadvantaged business" means a disadvantaged business as defined by Section 1.02, State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes).*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on August 20, 1991: Yeas 28, Nays 3; passed the House on August 23, 1991: Yeas 109, Nays 6.

Approved August 29, 1991.

Effective August 29, 1991.