

## **BILL ANALYSIS**

Senate Research Center  
77R14849 JMG-D

C.S.H.B. 2628  
By: Wolens (Shapiro)  
Intergovernmental Relations  
5/4/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Unlike some nonprofit organizations, the Greater Dallas Jewish Community Capital Campaign (Capital Campaign) does not engage in just one type of activity. The Capital Campaign serves as an umbrella fund raising organization for a number of community organizations with different missions. Under current law, the Capital Campaign is required to obtain separate sources of financing for each type of facility it assists. C.S.H.B. 2628 modifies the powers, authority, and rights of a cultural educational facilities finance corporation.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 4, Cultural Education Facilities Finance Corporation Act (Article 1528m, V.T.C.S.), as follows:

Sec. 4. (a) Makes nonsubstantive changes.

(b) Requires the cultural educational facilities finance corporation (corporation) to be created and organized in the same manner and have the same powers, authority, and rights with respect to cultural facilities and health facilities that a health facilities development corporation has with respect to health facilities under Chapter 221, Health and Safety Code; and with respect to educational facilities, housing facilities, and other facilities incidental, subordinate, or related to those facilities that a nonprofit corporation created under Section 53.35(b), Education Code, or an authority created under Section 53.11, Education Code, has under Chapter 53, Education Code.

(c) Provides that the powers of a corporation under Subsection (b) include certain specific powers.

(d) Authorizes, regardless of any provision in Chapter 221, Health and Safety Code, or Chapter 53, Education Code, the authority of the corporation to be exercised inside or outside the limits of the city or county that created the corporation if the city is located in a county with a population of more than 400,000 or inside or outside the limits of the county that created the corporation if the county has a population of more than 400,000. Authorizes the authority to be exercised without the consent or other action of any person that would otherwise be required under Chapter 221, Health and Safety Code, or Chapter 53, Education Code, unless the articles of incorporation or bylaws of the corporation provide differently. Prohibits the authority of a corporation under this section from preempting the police powers of any sponsoring entity or any other laws regulating or empowering sponsoring entities to regulate the activities of the

corporation.

SECTION 2. Effective date: upon passage or September 1, 2001.

**SUMMARY OF COMMITTEE CHANGES**

Amends engrossed H.B. 2628 as follows:

SECTION 1. Adds the text “if the city is located in a county with a population of more than 400,000 or inside or outside the limits of the county that created the corporation if the county has a population of more than 400,000.” Makes a conforming change.

SECTION 2. No change.