

## **BILL ANALYSIS**

Senate Research Center  
84R1560 YDB-D

S.B. 598  
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Business & Commerce  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 598 clarifies that privately owned land may be included in so called “public-private partnership proposals.” Current law already allows for the creation of public-private partnerships for purposes of timely construction, improvement, and expansion of facilities that serve a public purpose. Chapter 2267 (Public and Private Facilities and Infrastructure) of the Government Code was in fact designed to provide governmental entities with the greatest possible flexibility in contracting with private entities on such partnerships.

However, it was not clear that the code allowed private landowners to contribute land to a partnership for purposes of improvements. Accordingly, S.B. 598 clarifies that qualifying public-private partnership projects may include improvements to real property owned either by a governmental entity or by a private person, provided the property is available for public use.

As proposed, S.B. 598 amends current law relating to improvements on private property for public private partnerships.

### **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 2267.001(10), Government Code, to redefine "qualifying project" to include any improvements necessary or desirable to real property owned by a governmental entity or to real property owned by another person, including a contracting person, that is made available or is to be made available for public use.

SECTION 2. Makes application of Section 2267.011(10), Government Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2015.