

1 AN ACT

2 relating to use of the money from the Texas Enterprise Fund to
3 benefit certain small businesses and certain projects.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The vital importance of small businesses to the
6 economy of this state and the well-being of its residents requires
7 that it be the policy of this state to encourage the development and
8 location of small businesses in this state and promote
9 opportunities for those businesses to prosper.

10 SECTION 2. Section 481.078, Government Code, is amended by
11 adding Subsections (k) and (l) to read as follows:

12 (k) To encourage the development and location of small
13 businesses in this state, the governor shall consider making grants
14 from the fund:

15 (1) to recipients that are small businesses in this
16 state that commit to using the grants to create additional jobs;

17 (2) to recipients that are small businesses from
18 outside the state that commit to relocate to this state; or

19 (3) for individual projects that create 100 or fewer
20 additional jobs.

21 (l) For purposes of Subsection (k), "small business" means a
22 legal entity, including a corporation, partnership, or sole
23 proprietorship, that:

24 (1) is formed for the purpose of making a profit;

1 (2) is independently owned and operated; and

2 (3) has fewer than 100 employees.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.

David Newkumst

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 394 was passed by the House on March 26, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 394 on May 29, 2009, by the following vote: Yeas 140, Nays 0, 1 present, not voting.

Robert Hawey

Chief Clerk of the House

I certify that H.B. No. 394 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 30, Nays 1.

Datsy Saw

Secretary of the Senate

APPROVED: 19 JUN '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

Colby Hunter III