



THE ECONOMIC DEVELOPMENT CORPORATION OF WESLACO

INCENTIVE APPLICATION

Date of Application \_\_\_\_\_ Company's NAICS or SIC Code \_\_\_\_\_
Name of Company \_\_\_\_\_ Years in Operation \_\_\_\_\_
Physical Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_
Mailing Address (if different) \_\_\_\_\_
Phone Number (\_\_\_\_\_) \_\_\_\_\_ Fax Number (\_\_\_\_\_) \_\_\_\_\_ Other (\_\_\_\_\_) \_\_\_\_\_
Contact Person \_\_\_\_\_ Title \_\_\_\_\_
Proposed Project \_\_\_\_\_

Requested Incentive

[ ] Job Credits [ ] Land [ ] Building [ ] Other \_\_\_\_\_

Comments \_\_\_\_\_

CURRENT INFORMATION AND FUTURE PLANS

Full Time Employees [at least 1,560 hours/year = 30 hours/week for 52 weeks]

currently in Weslaco \_\_\_\_\_ to be created in Weslaco \_\_\_\_\_ to be relocated to Weslaco \_\_\_\_\_

Current Taxable Value (before improvements) of Real Property of all operations in Weslaco \$ \_\_\_\_\_

[if more than one operation is located in Weslaco, please list separately on another sheet]

Value of Real Property Improvements to be made in Weslaco \$ \_\_\_\_\_

Description of Real Property Improvements (buildings, remodeling, etc.) \_\_\_\_\_

Applicant certifies that it does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the term of any Agreement entered into between Applicant and The Economic Development Corporation of Weslaco (EDC), Applicant (including any agent thereof) is convicted of a violation under 8U.S.C. § 1324a(f) as to its knowing employment of an undocumented workers, Applicant shall repay the amount of the grant or other economic development incentive provided under such Agreement plus interest at the rate of ten percent (10%) per annum not later than the one hundred twentieth (120th) days after the date the EDC notifies Applicant of the violation (or as otherwise provided in the Agreement).

Attachment: Chapter 2264 of Texas Government Code

Signed: \_\_\_\_\_

EDC Director's Preliminary Recommendation \_\_\_\_\_

GOVERNMENT CODE

TITLE 10. GENERAL GOVERNMENT

SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

CHAPTER 2264. RESTRICTIONS ON USE OF CERTAIN PUBLIC

SUBSIDIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2264.001. DEFINITIONS. In this chapter:

(1) "Economic development corporation" means a development corporation organized under Subtitle C1, Title 12, Local Government Code.

(2) "Public agency" means the state or an agency, instrumentality, or political subdivision of this state, including a county, a municipality, a public school district, or a special-purpose district or authority.

(3) "Public subsidy" means a public program or public benefit or assistance of any type that is designed to stimulate the economic development of a corporation, industry, or sector of the state's economy or to create or retain jobs in this state. The term includes grants, loans, loan guarantees, benefits relating to an enterprise or empowerment zone, fee waivers, land price subsidies, infrastructure development and improvements designed to principally benefit a single business or defined group of businesses, matching funds, tax refunds, tax rebates, or tax abatements.

(4) "Undocumented worker" means an individual who, at the time of employment, is not:

(A) lawfully admitted for permanent residence to the United States; or

(B) authorized under law to be employed in that manner in the United States.

Added by Acts 2007, 80th Leg., R.S., Ch. [853](#), Sec. 1, eff. September 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. [87](#), Sec. 11.023, eff. September 1, 2009.

SUBCHAPTER B. RESTRICTIONS ON USE OF CERTAIN

PUBLIC SUBSIDIES TO EMPLOY UNDOCUMENTED WORKERS

Sec. 2264.051. STATEMENT REQUIRED IN APPLICATION FOR PUBLIC SUBSIDIES. A public agency, state or local taxing jurisdiction, or economic development corporation shall require a business that submits an application to receive a public subsidy to include in the application a statement certifying that the business, or a branch, division, or department of the business, does not and will not knowingly employ an undocumented worker.

Added by Acts 2007, 80th Leg., R.S., Ch. [853](#), Sec. 1, eff. September 1, 2007.

Sec. 2264.052. CONDITION ON RECEIPT OF PUBLIC SUBSIDIES. The statement required by Section 2264.051 must state that if, after receiving a public subsidy, the business, or a branch, division, or department of the business, is convicted of a violation under 8 U.S.C. Section 1324a(f), the business shall repay the amount of the public subsidy with interest, at the rate and according to the other terms provided by an agreement under Section 2264.053, not later than the 120th day after the date the public agency, state or local taxing jurisdiction, or economic development corporation notifies the business of the violation.

Added by Acts 2007, 80th Leg., R.S., Ch. [853](#), Sec. 1, eff. September 1, 2007.

Sec. 2264.053. AGREEMENT REGARDING REPAYMENT OF INTEREST. A public agency, state or local taxing jurisdiction, or economic development corporation, before awarding a public subsidy to a business, shall enter into a written agreement with the business specifying the rate and terms of the payment of interest if the business is required to repay the public subsidy.

Added by Acts 2007, 80th Leg., R.S., Ch. [853](#), Sec. 1, eff. September 1, 2007.

## SUBCHAPTER C. ENFORCEMENT

Sec. 2264.101. RECOVERY. (a) A public agency, local taxing jurisdiction, or economic development corporation, or the attorney general on behalf of the state or a state agency, may bring a civil action to recover any amounts owed to the public agency, state or local taxing jurisdiction, or economic development corporation under this chapter.

(b) The public agency, local taxing jurisdiction, economic development corporation, or attorney general, as applicable, shall recover court costs and reasonable attorney's fees incurred in an action brought under Subsection (a).

(c) A business is not liable for a violation of this chapter by a subsidiary, affiliate, or franchisee of the business, or by a person with whom the business contracts.

Added by Acts 2007, 80th Leg., R.S., Ch. [853](#), Sec. 1, eff. September 1, 2007.