

By: Cyrier

H.B. No. 2114

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a Texas Department of Transportation comprehensive
3 development agreement for a project in Travis and Williamson
4 Counties.

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

6 SECTION 1. Section 223.201(b), Transportation Code, is
7 transferred and redesignated within Subchapter E, Chapter 223,
8 Transportation Code, as Section 223.2001, Transportation Code, and
9 amended to read as follows:

10 Sec. 223.2001. DEFINITION. [~~(b)~~] In this subchapter,
11 "comprehensive development agreement" means an agreement that, at a
12 minimum, provides for the design and construction, reconstruction,
13 rehabilitation, expansion, or improvement of a project described in
14 Section 223.201(a) [~~Subsection (a)~~] and may also provide for the
15 financing, acquisition, maintenance, or operation of a project
16 described in Section 223.201(a) [~~Subsection (a)~~].

17 SECTION 2. Subchapter E, Chapter 223, Transportation Code,
18 is amended by adding Section 223.2002 to read as follows:

19 Sec. 223.2002. LIMITATION. The department may enter into a
20 comprehensive development agreement only for specific projects
21 authorized under this subchapter.

22 SECTION 3. Sections 223.201(f), (i), and (j),
23 Transportation Code, are amended to read as follows:

24 (f) The department may enter into a comprehensive

1 development agreement only for all or part of:

2 (1) the State Highway 99 (Grand Parkway) project;

3 (2) the Interstate Highway 35E managed lanes project
4 in Dallas and Denton Counties from Interstate Highway 635 to U.S.
5 Highway 380;

6 (3) the Interstate Highway 35W project in Tarrant
7 County from Interstate Highway 30 to State Highway 114;

8 (4) the State Highway 183 managed lanes project in
9 Tarrant and Dallas Counties from State Highway 121 to Interstate
10 Highway 35E;

11 (5) the Interstate Highway 35E/U.S. Highway 67
12 Southern Gateway project in Dallas County, including:

13 (A) Interstate Highway 35E from 8th Street to
14 Interstate Highway 20; and

15 (B) U.S. Highway 67 from Interstate Highway 35E
16 to Farm-to-Market Road 1382 (Belt Line Road);

17 (6) the State Highway 288 project from U.S. Highway 59
18 to south of State Highway 6 in Brazoria County and Harris County;

19 (7) the U.S. Highway 290 managed lanes project in
20 Harris County from Interstate Highway 610 to State Highway 99;

21 (8) the Interstate Highway 820 project from State
22 Highway 183 to Randol Mill Road;

23 (9) the State Highway 114 project in Dallas County
24 from State Highway 121 to State Highway 183;

25 (10) the Loop 12 project in Dallas County from State
26 Highway 183 to Interstate Highway 35E;

27 (11) the Loop 9 project in Dallas and Ellis Counties

1 from Interstate Highway 20 to U.S. Highway 67; ~~and~~

2 (12) the U.S. Highway 181 Harbor Bridge project in
3 Nueces County between U.S. Highway 181 at Beach Avenue and
4 Interstate Highway 37; and

5 (13) the Interstate Highway 35 project in Travis and
6 Williamson Counties from State Highway 45 North to State Highway 45
7 Southeast.

8 (i) The department's authority to enter into a
9 comprehensive development agreement expires:

10 (1) August 31, 2017, for a project described by
11 Subsection (f), other than the State Highway 99 (Grand Parkway)
12 project, ~~and~~ the State Highway 183 managed lanes project, and the
13 Interstate Highway 35 project in Travis and Williamson Counties
14 from State Highway 45 North to State Highway 45 Southeast; and

15 (2) August 31, 2015, for the State Highway 183 managed
16 lanes project.

17 (j) Before the department may enter into a comprehensive
18 development agreement under Subsection (f), the department must:

19 (1) for a project other than the State Highway 99
20 (Grand Parkway) project, obtain~~[, not later than August 31, 2017,]~~
21 the appropriate environmental clearance:

22 (A) for the project; or

23 (B) for the initial or base scope of the project
24 if the project agreement provides for the phased construction of
25 the project; and

26 (2) present to the commission a full financial plan
27 for the project, including costing methodology and cost proposals.

1 SECTION 4. Section 223.206, Transportation Code, is amended
2 by adding Subsection (e) to read as follows:

3 (e) The department may operate the Interstate Highway 35
4 project in Travis and Williamson Counties from State Highway 45
5 North to State Highway 45 Southeast authorized by Section
6 223.201(f)(13) without tolls when the term of any lease of the
7 project by a private entity has expired.

8 SECTION 5. The following provisions of the Transportation
9 Code are repealed:

10 (1) Sections 223.201(k) and (m); and

11 (2) Section 223.2011.

12 SECTION 6. The changes in law made by this Act do not
13 invalidate a comprehensive development agreement or facility
14 agreement entered into under Subchapter E, Chapter 223,
15 Transportation Code, before the effective date of this Act, and do
16 not limit the Texas Department of Transportation's continued
17 authority relating to those agreements. The prior law is continued
18 in effect for the limited purpose of continuing to govern those
19 agreements as applicable.

20 SECTION 7. This Act takes effect September 1, 2021.