

AN ACT

relating to the funding of certain port projects.

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

SECTION 1. The heading to Chapter 55, Transportation Code, is amended to read as follows:

CHAPTER 55. FUNDING OF PORT DEVELOPMENT AND INFRASTRUCTURE
~~[SECURITY,]~~ PROJECTS, PORT CONNECTIVITY PROJECTS, AND STUDIES

SECTION 2. Sections 55.001(4-a) and (5), Transportation Code, are amended to read as follows:

(4-a) "Port connectivity [~~access—improvement~~] project" means the construction or improvement of public roadways that will enhance connectivity to ports.

(5) "Port development and infrastructure [~~security, transportation, or facility~~] project" means an infrastructure, security, transportation, or facility [a] project that is necessary or convenient for the proper operation of a maritime port and that will improve the security, movement, and intermodal transportation of cargo or passengers in commerce and trade.

SECTION 3. Section 55.002, Transportation Code, is amended by amending Subsections (a), (c), and (e) and adding Subsection (f) to read as follows:

(a) From money in the fund, the department shall fund:

(1) port development and infrastructure [~~security, transportation, or facility~~] projects; and

1 (2) maritime port studies.

2 (c) Port development and infrastructure [~~security,~~
3 ~~transportation, or facility~~] projects eligible for funding under
4 this chapter include:

5 (1) construction or improvement of transportation
6 facilities within the jurisdiction of a maritime port;

7 (2) the dredging or deepening of channels, turning
8 basins, or harbors;

9 (3) the construction or improvement of wharves, docks,
10 structures, jetties, piers, storage facilities, cruise terminals,
11 or [~~any~~] facilities necessary or useful, as determined by the
12 committee, in connection with maritime port transportation or
13 economic development;

14 (4) the construction or improvement of facilities
15 necessary or useful in providing maritime port security;

16 (5) the acquisition of container cranes or other
17 mechanized equipment used in the movement of cargo or passengers in
18 [~~international~~] commerce and trade;

19 (6) the acquisition of land to be used for maritime
20 port purposes;

21 (7) the acquisition, improvement, enlargement, or
22 extension of existing maritime port facilities; and

23 (8) environmental protection projects that:

24 (A) are required as a condition of a state,
25 federal, or local environmental permit or other form of approval;

26 (B) are necessary for the acquisition of spoil
27 disposal sites and improvements to existing and future spoil sites;

1 or

2 (C) result from the undertaking of eligible
3 projects.

4 (e) The commission may use money from the Texas Mobility
5 Fund to provide funding for a port connectivity [~~access~~
6 ~~improvement~~] project.

7 (f) An applicant eligible for funding under this section may
8 not receive more than 20 percent of the total amount of money
9 appropriated to the department in a fiscal biennium to fund the
10 applicant's eligible projects under this section.

11 SECTION 4. Section 55.005, Transportation Code, as added by
12 Section 1, Chapter 1268 (S.B. 1282), Acts of the 77th Legislature,
13 Regular Session, 2001, is reenacted and amended to read as follows:

14 Sec. 55.005. PORT ACCESS ACCOUNT FUND. (a) The port access
15 account fund is an account in the general revenue fund.

16 (b) The following money shall be credited to the fund:

17 (1) money received from gifts, grants, and donations;

18 [~~and~~]

19 (2) interest earned on deposits and investments of the
20 fund;

21 (3) money appropriated to the fund by the legislature;

22 and

23 (4) money received from the federal government.

24 (c) Money in the fund may be appropriated only to the
25 department to perform the department's powers and duties concerning
26 maritime port transportation and economic development under this
27 chapter and to pay the department's expenses incurred under this

1 chapter, as approved by the committee.

2 (c-1) Money appropriated by the legislature under
3 Subsection (b)(3) may only be used to fund eligible port
4 development and infrastructure projects under Section 55.002.

5 (d) The financial transactions of the fund are subject to
6 audit by the state auditor.

7 SECTION 5. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1499 passed the Senate on April 3, 2023, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 16, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1499 passed the House, with amendment, on May 11, 2023, by the following vote: Yeas 131, Nays 9, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor