

Amend SB 21 by adding the following sections to the bill, appropriately numbered, and renumbering existing sections accordingly:

SECTION _____. Section 227.014, Transportation Code, as added by HB 3588, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) If the commission determines that the mobility needs of this state would be most efficiently and economically met by jointly operating two or more facilities or combinations of different types of facilities financed or constructed as part of the same project as one operational and financial enterprise, it may create a system composed of those facilities or combinations of facilities. The commission may create more than one system and may combine two or more systems into one system. The commission may finance, construct, and operate an additional facility or combination of facilities as an expansion of a system if the commission determines that the facility or combination of facilities would most efficiently and economically be constructed and operated if the facility or combination of facilities [~~it~~] were a part of the system and that the addition will benefit the system. A system may only include facilities located wholly or partly within the territory of:

- (1) a metropolitan planning organization; or
- (2) two adjacent department districts.

(a-1) Subsection (a) does not prohibit the department from creating a system that includes a facility that extends continuously through the territory of:

- (1) two or more metropolitan planning organizations;
- or
- (2) more than two adjacent department districts.

SECTION _____. Section 227.023(c), Transportation Code, as added by HB 3588, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(c) To the extent and in the manner that the department may enter into comprehensive development agreements under Chapter 361 with regard to turnpikes, the department may enter into a

comprehensive development agreement [~~agreements~~] under this chapter that provides for the financing, development, design, construction, or operation of a facility or a combination of [~~with regard to~~] facilities on the Trans-Texas Corridor. All provisions of Chapter 361 relating to comprehensive development agreements for turnpikes apply to comprehensive development agreements for facilities under this chapter, including provisions relating to the confidentiality of information. Claims arising under a comprehensive development agreement are subject to Section 201.112.