

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

SECTION ____ . Section 91.071(b), Transportation Code, as added by HB 3588, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(b) Each fiscal year, the total amount disbursed by the department out of federal and state funds shall not exceed \$12.5 million. This subsection does not apply to:

(1) disbursements for the acquisition or construction of rail lines on the Trans-Texas Corridor;

(2) the acquisition of abandoned rail facilities described in Section 91.007;

(3) funding derived from:

(A) the issuance of bonds;

(B) ~~7~~ private investment;

(C) ~~7~~ donations; or

(D) ~~7 and~~ grants, ~~or~~ loans, or reimbursements that are provided from the Federal Railroad Administration, the ~~or~~ Federal Transit Administration, or any other federal agency that may be spent for rail facilities;

(4) grant money awarded by the governor from the Texas Enterprise Fund;

(5) federal funds authorized and appropriated for a specific rail project in this state; and

(6) ~~(4)~~ grading and bed preparation.