

By: Solomons

H.B. No. 3017

Substitute the following for H.B. No. 3017:

By: Lewis

C.S.H.B. No. 3017

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the organization, administration and validation of the
3 creation and certain action of a coordinated county transportation
4 authority.

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

6 SECTION 1: Section 460.001, Transportation Code, is amended
7 to read as follows:

8 Sec. 460.001. DEFINITIONS. In this chapter:

9 (1) "Authority" means a coordinated county
10 transportation authority created under this chapter.

11 (2) "Balance of the county" means that part of the
12 county that is outside the boundaries of a municipality with a
13 population of 12,000 or more.

14 (3) "Board of directors [~~Executive committee~~]" means
15 the governing body of the authority.

16 SECTION 2. Subchapter A, Chapter 460, Transportation Code,
17 is amended by adding Section 460.004 to read as follows:

18 Sec. 460.004. REFERENCE. A reference in this chapter to the
19 executive committee means the board of directors.

20 SECTION 3. Section 460.551, is amended to read as follows:

21 Sec. 460.551. Sales and Use Tax (a) The executive
22 committee may impose for an authority a sales and use tax at the
23 rate of:

24 (1) one-quarter of one percent;

- 1 (2) three-eighths of one percent;
- 2 (3) [~~2~~] one-half of one percent;
- 3 (4) five-eighths of one percent;
- 4 (5) [~~3~~] three-quarters of one percent; [~~or~~]
- 5 (6) seven-eighths of one percent; or
- 6 (7) [4] one percent.

7 SECTION 4. Section 460.056, Transportation Code, is amended
8 by adding Subsection (f) to read as follows:

9 (f) The board of directors of a confirmed authority may by
10 rule create a procedure by which a municipality described by
11 Subsection (d) may become a participating member of an authority.

12 SECTION 5. Section 460.201(b), Transportation Code, is
13 amended to read as follows:

14 (b) A member of the board of directors [~~executive committee~~]
15 may not serve more than three consecutive terms.

16 SECTION 6. Subchapter D, Chapter 460, Transportation Code,
17 is amended by adding Section 460.206 to read as follows:

18 Sec. 460.206. RULES. The board of directors may adopt rules
19 relating to the creation of a vacancy on the board by the absence of
20 a board member at the board meetings, staggering the terms of up to
21 one half of the board of directors, and providing for alternatives.

22 SECTION 7. Section 460.44, Transportation Code, is amended
23 by adding Subsection (d) to read as follows:

24 (d) An authority may accept gifts, grants, donations,
25 receipts, or funds from any source to carry out its powers and
26 duties under this chapter.

27 SECTION 8. Section 460.502(c), Transportation Code, is

1 amended to read as follows:

2 (c) A bond issued by the authority may ave [~~20 years~~] a
3 maturity of up to 30 years from the date of issuance [~~even principal~~
4 ~~and interest payback~~].

5 SECTION 9. Section 460.503, Transportation Code, is amended
6 to read as follows:

7 Section 460.503. BOND TERMS. The bonds of an authority are
8 fully negotiable. An authority may make the bonds redeemable
9 before maturity. The terms and conditions of authority bonds are
10 subject to rules adopted by the board of directors.

11 SECTION 10. Section 460.503, Transportation Code, is
12 amended to read as follows:

13 Sec. 460.506. SECURITY PLEDGED. To secure the payment of an
14 authority's bonds, the authority may:

15 (1) pledge all or part of revenue realized from any tax
16 that is approved and levied;

17 (2) pledge any part of the revenue of the public
18 transportation system; [~~or~~]

19 (3) mortgage any part of the public transportation
20 system; or

21 (4) pledge government grants, contractual revenue, or
22 lease revenue.

23 SECTION 11. Section 460.507, Transportation Code, is
24 amended to read as follows:

25 Sec. 460.508. NOTES. (a) An authority may issue negotiable
26 notes payable from any of the authority's sources of revenue to pay
27 for any lawful expenditure, other than principal and interest on

1 the authority's debt.

2 (b) notes issued by an authority shall be payable over a
3 period not to exceed five year from the date of issuance.

4 (c) the Texas Resource Conservation Commission is not
5 required to approve notes issued under this section.

6 (d) an authority may not have outstanding notes in excess of
7 \$10 [~~±~~] million at any one time.

8 SECTION 12. (a) The creation of the Denton County
9 Transportation Authority under Chapter 1186, Acts of the 77th
10 Legislature, Regular Session, 2001, composed of the territory in
11 Denton County is validated as of the date of the election held on
12 November 5, 2001, at which the voters of Denton County approved the
13 confirmation of the district. Any acts and proceedings of the
14 district in Denton County are validated as of the dates they
15 occurred.

16 (b) This Act does not validate any government act or
17 proceeding that, under the law of this state at the time of the act
18 or proceeding occurred, was a misdemeanor or a felony.

19 SECTION 13. This Act takes effect September 1, 2003, except
20 Section 3 of this Act takes effect only in House Bill 164, 78th
21 Session, is passed by the House and Senate and approved by the
22 Governor.