

By: Madla

S.B. No. 404

A BILL TO BE ENTITLED

AN ACT

relating to advanced transportation districts.

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

SECTION 1. Section 451.701, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (4) to read as follows:

(1) "Advanced transportation" means light rail, commuter rail, fixed guideways, traffic management systems, bus ways, bus lanes, technologically advanced bus transit vehicles and systems, bus rapid transit vehicles and systems, passenger amenities, transit centers, stations, electronic transit-related information, fare, and operating systems, high occupancy vehicle lanes, traffic signal prioritization and coordination systems, monitoring systems, and other advanced transportation facilities, equipment, operations, systems, and services, including planning, feasibility studies, operations, and professional and other services in connection with such [~~those~~] facilities, equipment, operations, systems, and services.

(4) "Mobility enhancement" means the design, construction, reconstruction, alteration, and maintenance of:

(A) streets, roads, highways, high occupancy vehicle lanes, toll lanes, sidewalks, and infrastructure designed to improve mobility;

(B) traffic signal prioritization and

- 1 coordination systems;
- 2 (C) monitoring systems; and
- 3 (D) other mobility enhancement facilities,
- 4 equipment, systems, and services.

5 SECTION 2. Section 451.702, Transportation Code, is amended
6 by amending Subsections (a), (d), and (e) and adding Subsections
7 (f) through (j) to read as follows:

8 (a) The board of an authority in which the sales and use tax
9 is imposed at a rate of one-half of one percent and in which the
10 principal municipality has a population of more than 700,000 may
11 order an election to create an advanced transportation district
12 within the authority's boundaries and to impose a sales and use tax
13 for advanced transportation and mobility enhancement under this
14 subchapter. If approved at the election, the rate of the sales and
15 use tax for advanced transportation and mobility enhancement shall
16 be set by the governing body of the district at a rate of:

- 17 (1) one-eighth of one percent;
- 18 (2) [~~is~~] one-fourth of one percent;
- 19 (3) three-eighths of one percent; or
- 20 (4) one-half of one percent.

21 (d) At the election, the ballots shall be prepared to permit
22 voting for or against the proposition: "The creation of an advanced
23 transportation district and the imposition of a sales and use tax
24 for advanced transportation and mobility enhancement within the
25 district at the rate to be set by the governing body of the advanced
26 transportation district [~~of one-fourth of one percent~~]."

27 (e) The proceeds of the sales and use tax imposed under this

1 section shall be used by the district only for:

2 (1) advanced transportation and mobility enhancement
3 purposes as provided by Subsections (f)-(j); and

4 (2) reimbursement to the authority for the cost of an
5 election held under this section.

6 (f) The district shall use one-half of the proceeds of the
7 sales and use tax only for advanced transportation purposes as
8 determined by the governing body of the district.

9 (g) The governing body of the district shall remit
10 one-fourth of the proceeds of the sales and use tax to each
11 participating unit in proportion to the amount of the sales and use
12 tax proceeds that were collected in that participating unit. A
13 participating unit may use proceeds received under this subsection
14 only for advanced transportation or mobility enhancement purposes
15 in the territory of the authority.

16 (h) Payments under Subsection (g) shall be made monthly
17 beginning the first day of the month after the month in which the
18 authority receives proceeds of the sales and use tax imposed under
19 this section.

20 (i) The governing body of the district shall place
21 one-fourth of the proceeds of the sales and use tax in a separate
22 account. Funds in the account, together with interest or other
23 revenues earned on those funds, may be used as determined by the
24 governing body of the district only to provide the appropriate
25 amount to the Texas Department of Transportation as the local share
26 of a state or federal grant for advanced transportation or mobility
27 enhancement purposes in the territory of the district.

1 (j) For projects to be funded under Subsection (i), the
2 governing body of the district shall:

3 (1) obtain recommendations from the appropriate
4 metropolitan planning organization;

5 (2) prioritize projects eligible for funding under
6 that subsection; and

7 (3) consider in the selection and prioritization
8 process the geographic location of other state or federally funded
9 transportation projects, advanced transportation projects, and
10 mobility enhancement projects so as to foster geographic equity in
11 the planning and development of the projects.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2003.