

1-1 By: Madla S.B. No. 404
1-2 (In the Senate - Filed February 6, 2003; February 17, 2003,
1-3 read first time and referred to Committee on Infrastructure
1-4 Development and Security; March 11, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9, Nays
1-6 0; March 11, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 404 By: Madla

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to advanced transportation districts.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 451.701, Transportation Code, is amended
1-13 by amending Subdivision (1) and adding Subdivision (4) to read as
1-14 follows:

1-15 (1) "Advanced transportation" means light rail,
1-16 commuter rail, fixed guideways, traffic management systems, bus
1-17 ways, bus lanes, technologically advanced bus transit vehicles and
1-18 systems, bus rapid transit vehicles and systems, passenger
1-19 amenities, transit centers, stations, electronic transit-related
1-20 information, fare, and operating systems, high occupancy vehicle
1-21 lanes, traffic signal prioritization and coordination systems,
1-22 monitoring systems, and other advanced transportation facilities,
1-23 equipment, operations, systems, and services, including planning,
1-24 feasibility studies, operations, and professional and other
1-25 services in connection with such [those] facilities, equipment,
1-26 operations, systems, and services.

1-27 (4) "Mobility enhancement" means the design,
1-28 construction, reconstruction, alteration, and maintenance of:

1-29 (A) streets, roads, highways, high occupancy
1-30 vehicle lanes, toll lanes, sidewalks, and infrastructure designed
1-31 to improve mobility;

1-32 (B) traffic signal prioritization and
1-33 coordination systems;

1-34 (C) monitoring systems; and

1-35 (D) other mobility enhancement facilities,
1-36 equipment, systems, and services.

1-37 SECTION 2. Section 451.702, Transportation Code, is amended
1-38 by amending Subsections (a), (d), and (e) and adding Subsections
1-39 (f) through (j) to read as follows:

1-40 (a) The board of an authority in which the sales and use tax
1-41 is imposed at a rate of one-half of one percent and in which the
1-42 principal municipality has a population of more than 700,000 may
1-43 order an election to create an advanced transportation district
1-44 within the authority's boundaries and to impose a sales and use tax
1-45 for advanced transportation and mobility enhancement under this
1-46 subchapter. If approved at the election, the rate of the sales and
1-47 use tax for advanced transportation and mobility enhancement shall
1-48 be set by the governing body of the district at a rate of:

1-49 (1) one-eighth of one percent;

1-50 (2) [is] one-fourth of one percent;

1-51 (3) three-eighths of one percent; or

1-52 (4) one-half of one percent.

1-53 (d) At the election, the ballots shall be prepared to permit
1-54 voting for or against the proposition: "The creation of an advanced
1-55 transportation district and the imposition of a sales and use tax
1-56 for advanced transportation and mobility enhancement within the
1-57 district at the rate to be set by the governing body of the advanced
1-58 transportation district [of one-fourth of one percent]."

1-59 (e) The proceeds of the sales and use tax imposed under this
1-60 section shall be used by the district only for:

1-61 (1) advanced transportation and mobility enhancement
1-62 purposes as provided by Subsections (f)-(j); and

1-63 (2) reimbursement to the authority for the cost of an

2-1 election held under this section.

2-2 (f) The district shall use one-half of the proceeds of the
2-3 sales and use tax only for advanced transportation purposes as
2-4 determined by the governing body of the district.

2-5 (g) The governing body of the district shall remit
2-6 one-fourth of the proceeds of the sales and use tax to each
2-7 participating unit in proportion to the amount of the sales and use
2-8 tax proceeds that were collected in that participating unit. A
2-9 participating unit may use proceeds received under this subsection
2-10 only for advanced transportation or mobility enhancement purposes
2-11 in the territory of the authority.

2-12 (h) Payments under Subsection (g) shall be made monthly
2-13 beginning the first day of the month after the month in which the
2-14 authority receives proceeds of the sales and use tax imposed under
2-15 this section.

2-16 (i) The governing body of the district shall place
2-17 one-fourth of the proceeds of the sales and use tax in a separate
2-18 account. Funds in the account, together with interest or other
2-19 revenues earned on those funds, may be used as determined by the
2-20 governing body of the district only to provide the appropriate
2-21 amount to the Texas Department of Transportation as the local share
2-22 of a state or federal grant for advanced transportation or mobility
2-23 enhancement purposes in the territory of the district.

2-24 (j) For projects to be funded under Subsection (i), the
2-25 governing body of the district shall:

2-26 (1) obtain recommendations from the appropriate
2-27 metropolitan planning organization;

2-28 (2) prioritize projects eligible for funding under
2-29 that subsection; and

2-30 (3) consider in the selection and prioritization
2-31 process the geographic location of other state or federally funded
2-32 transportation projects, advanced transportation projects, and
2-33 mobility enhancement projects so as to foster geographic equity in
2-34 the planning and development of the projects.

2-35 SECTION 3. This Act takes effect immediately if it receives
2-36 a vote of two-thirds of all the members elected to each house, as
2-37 provided by Section 39, Article III, Texas Constitution. If this
2-38 Act does not receive the vote necessary for immediate effect, this
2-39 Act takes effect September 1, 2003.

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