

BILL ANALYSIS

C.S.H.B. 2300
By: Turner
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Metropolitan Transit Authorities created under Chapter 451 are challenged, just as Texas Department of Transportation, Regional Mobility Authorities and other entities within the state, to deliver much-needed transportation projects as quickly as possible with constrained budgets. The current purchasing provisions in chapter 451 do not provide for alternative project delivery methods that could be used to expedite project delivery and gain access to private financing or limit our exposure to change orders, claims and litigation that all-too-often afflict large complex transportation infrastructure projects. CSHB 3588 provided Regional Mobility Authorities the authority to utilize comprehensive development agreements if it was in the best interest of the public. This is the contracting tool that provides for the potential to utilize alternative project delivery methods that needs to be made available to Metropolitan Transit Authorities.

CSHB 2300 will allow certain Metropolitan Transit Authorities created under Chapter 451 the same authority given to Regional Mobility Authorities to enter into Comprehensive Development Agreements for projects with an estimated cost of more than \$50 million.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1: Amends Subchapter B, Chapter 451 by adding Section 451.073 entitled Comprehensive Development Agreement that would apply to an authority with a principal municipality with a population of more than 1.2 million or an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 750,000, on projects estimated to exceed \$50 million. It also provides the same powers as a Regional Mobility Authority to enter into a Comprehensive Development Agreement.

SECTION 2: Amends Section 451.110(a) of the Transportation Code to provide for the new provision.

SECTION 3: Amends Section 451.111(a) of the Transportation Code to provide for the new provision.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 2300 differs from the original by changing the following language from the filed version:

- Under Section 1 of the bill, Section 451.073(a)(1) (page 1, lines 9-10) is amended to add authorities confirmed before July 1, 1985, in which the principal municipality has a population of less than 750,000.
- Under Section 1 of the bill, Section 451.073(a)(2) (page 1, line 11-12) is amended to change \$100 million to \$50 million.

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