

By: Solomons

H.B. No. 1986

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration and powers of a coordinated county
3 transportation authority.

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

5 SECTION 1. Section 224.154(b), Transportation Code, is
6 amended to read as follows:

7 (b) If the commission authorizes the department to charge a
8 toll under Subsection (a), the department may enter into an
9 agreement with a regional tollway authority described in Chapter
10 366, a transit authority described in Chapter 451, 452, or 453, a
11 coordinated county transportation authority under Chapter 460, a
12 regional mobility authority under Chapter 361, a county acting
13 under Chapter 284, or a transportation corporation:

14 (1) to design, construct, operate, or maintain a toll
15 lane under this section; and

16 (2) to charge a toll for the use of one or more lanes of
17 a state highway facility under this section.

18 SECTION 2. Section 460.054, Transportation Code, is amended
19 by adding Subsection (d) to read as follows:

20 (d) The county judge may fill a vacancy in a position
21 described by Subsection (b)(3) by naming a person nominated under
22 Subsection (c) for the unexpired term.

23 SECTION 3. Section 460.105(a), Transportation Code, is
24 amended to read as follows:

1 (a) An authority may:

2 (1) acquire, construct, develop, plan, own, operate,
3 and maintain a public transportation system in the territory of the
4 authority, including the territory of a political subdivision or
5 municipality partially located in the territory of the authority;

6 (2) contract with a municipality, county, or other
7 political subdivision for the authority to provide public
8 transportation services outside the authority;

9 (3) lease all or part of the public transportation to,
10 or contract for the operation of all or a part of the public
11 transportation system by, an operator; ~~and~~

12 (4) contract with a political subdivision or
13 governmental entity to provide public transportation services
14 inside the authority consistent with rules and regulations
15 established by the authority, including capital, maintenance,
16 operation, and other costs specifically approved and audited by the
17 authority; and

18 (5) operate, maintain, or manage a public
19 transportation system or project not located in the territory of
20 the authority if the system or project provides a service, benefit,
21 or convenience to the people in the territory of the authority.

22 SECTION 4. Section 460.201(c), Transportation Code, is
23 amended to read as follows:

24 (c) Except as provided by Section 460.2015, a [A] vacancy on
25 the board of directors [~~executive committee~~] is filled in the same
26 manner as the original appointment to the interim executive
27 committee.

1 SECTION 5. Subchapter D, Chapter 460, Transportation Code,
2 is amended by adding Section 460.2015 to read as follows:

3 Sec. 460.2015. MEMBERSHIP OF BOARD OF DIRECTORS. (a) The
4 board of directors of an authority confirmed under Subchapter B may
5 increase the population amount stated by Section 460.054(b)(1) in
6 increments of up to 5,000. If the board increases that population
7 amount, the board shall also increase each population amount stated
8 by Sections 460.054(b)(3) and 460.054(c) by the same amount.

9 (b) The board of directors may only act under Subsection (a)
10 once a year.

11 (c) A municipality that has appointed a member to the board
12 of directors under Section 460.054(b)(1) before the effective date
13 of an increase under Subsection (a) may continue to appoint a member
14 to the board of directors.

15 SECTION 6. Section 460.405(a), Transportation Code, is
16 amended to read as follows:

17 (a) Federal funds and appropriated state funds may not be
18 spent by [An employee, agent, or person receiving compensation
19 from] or on behalf of an authority to influence or [may not attempt
20 to] affect the award or outcome of a state or federal contract,
21 loan, or cooperative agreement [proposed legislation].

22 SECTION 7. Section 460.502, Transportation Code, is amended
23 by amending Subsections (a), (b), and (d) and adding Subsection (e)
24 to read as follows:

25 (a) An authority may issue general obligation or revenue
26 bonds at any time and for amounts the board of directors [~~executive~~
27 committee] determines are appropriate.

1 (b) The bonds may be issued as necessary for:

2 (1) the acquisition, construction, repair,
3 improvement, equipping, or extension of an authority's public
4 transportation system or project; or

5 (2) the creation or funding of self-insurance or
6 retirement or pension fund reserves.

7 (d) A general obligation bond any portion of which is
8 secured by a pledge of sales and use tax revenues and that has a
9 maturity of five years or longer from the date of issuance may not
10 be issued by an authority until an election has been held and the
11 proposition proposing the issue has been approved by a majority of
12 the votes received on the issue in accordance with the provisions
13 established for the authorization of a tax levy under Subchapter C.

14 (e) Revenue bonds are special obligations of the authority
15 and are payable with income and receipts from the authority's
16 operation and management of a transportation project. The
17 authority may encumber all or part of the authority's public
18 transportation system, including buses or other vehicles,
19 machinery, or equipment used in the operation of the system, to
20 secure revenue bonds under this section.

21 SECTION 8. This Act takes effect September 1, 2005.