

AN ACT

relating to the administration of the state infrastructure bank.

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

SECTION 1. Section 222.072(b), Transportation Code, is amended to read as follows:

(b) Federal funds received by the state under the federal act, matching state funds in an amount required by that act, proceeds from bonds issued under Section 222.075, ~~[money saved as a result of contracting with a private entity for maintenance and repair services for department vehicles,]~~ secondary funds, other state funds deposited into the bank by order of the commission, and other money received by the state that is eligible for deposit in the bank may be deposited into the bank and used only for the purposes described in this subchapter.

SECTION 2. Section 222.073, Transportation Code, is amended to read as follows:

Sec. 222.073. PURPOSES OF INFRASTRUCTURE BANK. Notwithstanding Section 222.001, the ~~[The]~~ commission shall use money deposited in the bank to:

(1) encourage public and private investment in transportation facilities both within and outside of the state highway system, including facilities that contribute to the multimodal and intermodal transportation capabilities of the state; and

1 (2) develop financing techniques designed to:

2 (A) expand the availability of funding for  
3 transportation projects and to reduce direct state costs;

4 (B) maximize private and local participation in  
5 financing projects; and

6 (C) improve the efficiency of the state  
7 transportation system.

8 SECTION 3. Section 222.074, Transportation Code, is amended  
9 by adding Subsection (c) to read as follows:

10 (c) Financial assistance to a public or private entity under  
11 Subsection (a) shall be limited, as applicable, to a qualified  
12 project that is consistent with the transportation plan developed  
13 by the metropolitan planning organization.

14 SECTION 4. Section 222.076, Transportation Code, is amended  
15 to read as follows:

16 Sec. 222.076. SEPARATE SUBACCOUNTS. (a) The bank shall  
17 consist of at least two separate subaccounts, a highway subaccount  
18 and a transit subaccount.

19 (b) In addition to the subaccounts under Subsection (a), the  
20 commission may create one or more subaccounts that are capitalized  
21 with state funds only. Subaccounts capitalized with state funds  
22 only are not subject to the federal act.

23 SECTION 5. Sections 222.077(a) and (c), Transportation  
24 Code, are amended to read as follows:

25 (a) Any funds disbursed through the state infrastructure  
26 bank must be repaid on terms determined by the commission. The terms  
27 must [that] comply with the federal act except for terms applicable

1 to funds deposited in a subaccount described by Section 222.076(b).

2 (c) The commission shall administer the bank in compliance  
3 with applicable requirements of the federal act and any applicable  
4 federal regulation or guideline.

5 SECTION 6. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2134 was passed by the House on April 20, 2005, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2134 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor