

By: Phillips

H.B. No. 2623

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the distribution by the Texas Department of  
3 Transportation of certain assistance for the repair and maintenance  
4 of county roads.

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

6 SECTION 1. Section 201.706, Transportation Code, is amended  
7 to read as follows:

8 Sec. 201.706. LOCAL GOVERNMENT ASSISTANCE. (a) From  
9 appropriated funds, the department shall assist counties with  
10 materials and equipment to repair and maintain county roads. The  
11 department shall:

12 (1) provide that the total annual value of assistance  
13 under this section is~~+~~

14 ~~[(A) at least \$12 million per year for fiscal~~  
15 ~~years 1998 and 1999; and~~

16 ~~[(B)] at least \$6 million per year [for a fiscal~~  
17 ~~year other than 1998 or 1999];~~

18 (2) make maximum usage of surplus materials and  
19 equipment on hand;

20 (3) develop rules and procedures to implement this  
21 section and to provide for the distribution of the assistance with  
22 preference given to counties with an above average number of  
23 overweight trucks receiving weight tolerance permits based on the  
24 previous year's permit totals; and

1           (4) undertake cooperative and joint procurement of  
2 road materials with counties under Texas Building and Procurement  
3 ~~[General Services]~~ Commission procedures.

4           (b) Chapter 2175, Government Code, does not apply to the  
5 distribution of assistance by the department under this section.

6           (c) Except as provided by Subsection (a)(4), this section  
7 does not authorize the department to purchase materials or  
8 equipment for a county.

9           SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2005.