

By: Krusee

H.B. No. 2705

Substitute the following for H.B. No. 2705:

By: Phillips

C.S.H.B. No. 2705

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of counties to issue bonds to construct,
3 maintain, or operate toll or nontoll projects or facilities on the
4 state highway system.

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

6 SECTION 1. Subtitle I, Title 9, Government Code, is amended
7 by adding Chapter 1479 to read as follows:

8 CHAPTER 1479. COUNTY BONDS FOR FACILITIES ON STATE HIGHWAY SYSTEM

9 Sec. 1479.001. DEFINITION. In this chapter, "state highway
10 system" means the highways in this state included in the plan
11 providing for a system of state highways prepared under Section
12 201.103, Transportation Code.

13 Sec. 1479.002. AUTHORITY TO ISSUE BONDS. (a) A county may
14 issue bonds to provide funds for the design, development,
15 financing, construction, maintenance, operation, extension,
16 expansion, or improvement of a toll or nontoll project or facility
17 on the state highway system located in the county or, as a
18 continuation of the project or facility, in an adjacent county.

19 (b) To provide for the payment of bonds issued under this
20 section, a county may:

21 (1) pledge revenue from any available source,
22 including payments received under an agreement with the Texas
23 Department of Transportation under Section 222.104, Transportation
24 Code;

1 (2) pledge, levy, and collect taxes subject to any
2 constitutional limitation; or

3 (3) provide for a combination of Subdivisions (1) and
4 (2).

5 (c) Any election required to permit action under Subsection
6 (b) must be held in conformance with the Election Code or other law
7 applicable to the county.

8 (d) A county that issues bonds under this section may
9 exercise any of the rights and powers granted to the governing body
10 of an issuer under Chapter 1371.

11 (e) A bond issued under this section must mature not later
12 than 40 years after its date of issuance.

13 (f) This section is wholly sufficient authority for the
14 issuance of bonds, the pledge of revenues, taxes, or any
15 combination of revenues and taxes, and the performance of other
16 acts and procedures authorized by this section by a county without
17 reference to any other provision of law or any restriction or
18 limitation contained in those provisions, except as specifically
19 provided by this section. To the extent of any conflict or
20 inconsistency between this section and any other law, this section
21 shall prevail and control. A county may use any law not in conflict
22 with this section to the extent convenient or necessary to carry out
23 any power or authority, expressed or implied, granted by this
24 section.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.