

By: Madla

S.B. No. 1089

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Department of Transportation providing equipment and materials to counties for the repair and maintenance of county roads.

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

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

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

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

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

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

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

(3) develop rules and procedures to implement this section and to provide for the distribution of the assistance with preference given to counties with an above average number of overweight trucks receiving weight tolerance permits based on the 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
5 assistance provided under this section.

6 (c) Except as provided in 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.