

Amend the Kolkhorst amendment to **CSHB 1892** by adding the following appropriately numbered Subsection to Section 223.210, Transportation Code, as added by the amendment, and relettering subsequent subsections of that section accordingly:

() This section does not apply to a comprehensive development agreement for a managed lane facility toll project the major portion of which is located inside the boundaries of a regional tollway authority created on September 1, 1997, and for which the department has issued a request for qualifications before the effective date of this subsection. Before the department executes a final contract for a project described by this subsection, the commissioners court for any county in which a majority of the project is located must pass a supporting resolution that:

(1) acknowledges that the contract may contain penalties for the construction of future competing transportation projects built at any time during the life of the agreement; and

(2) states that the commissioners court is aware of and agrees to pay the penalties if any are rendered.