

By: Krusee

H.B. No. 3715

A BILL TO BE ENTITLED

AN ACT

relating to the termination of certain comprehensive development agreements; authorizing the issuance of bonds.

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

SECTION 1. Subchapter E, Chapter 223, Transportation Code, is amended by adding Section 223.210 to read as follows:

Sec. 223.210. TERMINATION OF CERTAIN COMPREHENSIVE DEVELOPMENT AGREEMENTS. If the department elects to terminate a comprehensive development agreement under which a private participant has paid a concession fee for the right to operate and collect revenue from a project, the department may:

(1) issue bonds under Section 228.102 if the project is a toll project, Subchapter M, Chapter 201, or other authority to:

(A) make any applicable termination payments to the private participant; or

(B) purchase the interest of the private participant in the comprehensive development agreement or related property; or

(2) provide for the payment of obligations of the private participant incurred pursuant to the comprehensive development agreement.

SECTION 2. Subchapter G, Chapter 370, Transportation Code, is amended by adding Section 370.3125 to read as follows:

Sec. 370.3125. TERMINATION OF CERTAIN COMPREHENSIVE

1 DEVELOPMENT AGREEMENTS. If an authority elects to terminate a  
2 comprehensive development agreement under which a private  
3 participant has paid a concession fee for the right to operate and  
4 collect revenue from a project, the authority may:

5 (1) issue bonds under Subchapter D to:

6 (A) make any applicable termination payments to  
7 the private participant; or

8 (B) purchase the interest of the private  
9 participant in the comprehensive development agreement or related  
10 property; or

11 (2) provide for the payment of obligations of the  
12 private participant incurred pursuant to the comprehensive  
13 development agreement.

14 SECTION 3. This Act takes effect September 1, 2007.