

By: Shapiro

S.B. No. 1151

A BILL TO BE ENTITLED

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AN ACT

relating to the duties of the Texas Department of Transportation and other agencies with regard to state highways, toll roads, and the Trans-Texas Corridor.

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

SECTION 1. Section 223.201, Transportation Code, is amended by adding Subsection (h) to read as follows:

(h) The department shall make each comprehensive development agreement, and any master development plan related to a comprehensive development agreement, including financial plans, available to the public in a timely manner.

SECTION 2. Subchapter A, Chapter 227, Transportation Code, is amended by adding Section 227.005 to read as follows:

Sec. 227.005. DOCUMENTS AVAILABLE TO THE PUBLIC. The department shall make available to the public in a timely manner:

(1) each document, plan, and contract related to the Trans-Texas Corridor; and

(2) all updates to the master development plan for Trans-Texas Corridor 35, including financial plans.

SECTION 3. The heading to Section 228.009, Transportation Code, is amended to read as follows:

Sec. 228.009. AUDIT BY PUBLIC ACCOUNTANT.

SECTION 4. Subchapter A, Chapter 228, Transportation Code, is amended by adding Sections 228.0091, 228.011, and 228.012 to

1 read as follows:

2 Sec. 228.0091. AUDIT BY STATE AUDITOR. The state auditor
3 shall perform an audit of each annual financial statement for a toll
4 road segment or combination of segments.

5 Sec. 228.011. REVIEW AND APPROVAL BY ATTORNEY GENERAL OF
6 CERTAIN AGREEMENTS. The department may not enter into a
7 comprehensive development agreement or other agreement to design,
8 build, operate, maintain, lease, or finance a segment of a toll road
9 until the agreement is reviewed and approved by the attorney
10 general if the agreement:

- 11 (1) has a term of more than four years; or
12 (2) provides for the expenditure of more than \$250
13 million by the state or another entity.

14 Sec. 228.012. TOLL REVENUE PROJECTIONS. (a) The
15 department may not enter into an agreement with a developer to
16 operate, lease, or finance a segment of a toll road until the
17 comptroller has projected the toll revenue for each geographic
18 region of the toll road segment.

- 19 (b) The comptroller shall, in a reasonable period:
20 (1) complete the projections performed under
21 Subsection (a); and
22 (2) provide copies of the projections to:
23 (A) the department;
24 (B) the Legislative Budget Board;
25 (C) the governor; and
26 (D) the state auditor.

27 SECTION 5. On the effective date of this Act:

1 (1) all powers, duties, functions, programs, and
2 activities of the Texas Department of Transportation related to
3 providing projections of toll revenue are transferred to the
4 comptroller of public accounts; and

5 (2) all funds provided to the Texas Department of
6 Transportation for purposes related to providing projections of
7 toll revenue are transferred to the comptroller of public accounts.

8 SECTION 6. This Act takes effect September 1, 2007.