

By: Brimer

S.B. No. 1435

A BILL TO BE ENTITLED

AN ACT

relating to the creation, powers, and funding of a metropolitan area mobility authority; authorizing a tax.

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

SECTION 1. Subtitle G, Title 6, Transportation Code, is amended by adding Chapter 371 to read as follows:

CHAPTER 371. METROPOLITAN AREA MOBILITY AUTHORITIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 371.001. DEFINITIONS. In this chapter:

(1) "Authority" means a metropolitan area mobility authority.

(2) "Board" means the board of directors of an authority.

(3) "Director" means a member of a board.

Sec. 371.002. CREATION. (a) For each county in this state having a population of 500,000 or more, the commission by order shall create an authority. The territory of an authority consists of the county having a population of 500,000 or more and each county contiguous to that county.

(b) In connection with two contiguous counties each having a population of 500,000 or more, the commission by order shall create an authority, the territory of which consists of both counties having a population of 500,000 or more and each county that is contiguous to either of those counties.

1 (c) Under terms and conditions agreed to by the authorities,
2 two contiguous authorities may consolidate into a single authority
3 on the adoption of an order or resolution approving the
4 consolidation by the board of each authority.

5 Sec. 371.003. BOARD; TERMS; COMPENSATION. (a) The
6 governing body of an authority is a board of directors consisting of
7 an odd number of members.

8 (b) Directors are appointed by the commissioners court of
9 the counties in the authority. The commissioners court of each
10 county having a population of less than 500,000 shall appoint one
11 director. The commissioners court of each county having a
12 population of 500,000 or more but less than 1 million shall appoint
13 two directors. The commissioners court of each county having a
14 population of 1 million or more shall appoint three directors.

15 (c) If the number of directors appointed under Subsection
16 (b) is an even number, the commissioners courts of the counties in
17 the authority that have a population of less than 500,000 shall
18 jointly select one additional director.

19 (d) The directors shall elect a presiding officer and an
20 assistant presiding officer from the board members.

21 (e) Directors serve two-year staggered terms.

22 (f) A director is entitled to:

- 23 (1) compensation for service on the board; and
24 (2) expenses actually incurred while serving on the
25 board.

26 Sec. 371.004. HEADQUARTERS. Each board shall locate and
27 maintain a headquarters for the authority it governs.

1 Sec. 371.005. GENERAL POWERS. (a) An authority has all the
2 powers of:

3 (1) the department, other than a power provided by the
4 constitution of this state or a power relating to vehicle titling
5 and registration, motor carriers, or motor vehicles;

6 (2) a regional mobility authority created under:

7 (A) Section 361.003, as enacted by Section 2,
8 Chapter 1237, Acts of the 77th Legislature, Regular Session, 2001;

9 (B) Chapter 370; or

10 (C) another law of this state; and

11 (3) a metropolitan rapid transit authority under
12 Chapter 451 or a regional transportation authority under Chapter
13 452.

14 (b) For purposes of Subsection (a), all the provisions of
15 Chapter 451 or 452 applicable to an authority under that chapter
16 apply to an authority to the extent they can be made applicable.
17 All references to an authority in those chapters mean an authority
18 under this chapter. All references to the board in Chapter 451 or an
19 executive committee in Chapter 452 mean the board of directors of an
20 authority.

21 (c) An authority may exercise a power described by
22 Subsection (a) or another section of this chapter only in the
23 territory of the authority.

24 Sec. 371.006. POWERS RELATING TO AIRPORTS. (a) In addition
25 to any other power, an authority may construct, maintain, manage,
26 or operate one or more airports, as defined by Section 22.001,
27 located in the territory of the authority.

1 (b) For purposes of Subsection (a), all the provisions of
2 Chapter 22 applicable to a local government apply to an authority to
3 the extent they can be made applicable. All references to a local
4 government in that chapter mean an authority. All references to the
5 governing body of a local government in that chapter mean a board.

6 Sec. 371.007. DIVISIONS. (a) Each authority shall
7 establish an aviation division, a highway division, a rail
8 division, and a toll project division.

9 (b) A board may enter into one or more agreements with the
10 commission or the department for the design, construction,
11 maintenance, or operation of a transportation project of the
12 authority that is located in the territory of the authority,
13 including a tolled or nontolled highway or segment of a highway, and
14 the commission and the department are authorized to enter into such
15 a contract with a board.

16 [Sections 371.008-371.050 reserved for expansion]

17 SUBCHAPTER B. LOCAL FUEL SALES TAX

18 Sec. 371.051. DEFINITIONS. In this subchapter:

19 (1) "Dealer," "diesel fuel," "gasoline," "motor
20 vehicle," "public highway," and "sale" have the meanings assigned
21 by Section 162.001, Tax Code.

22 (2) "Jobber" means a person who:

23 (A) purchases tax-paid diesel fuel or gasoline
24 from a person who holds a license under Chapter 162, Tax Code; and

25 (B) makes a sale with the tax included to a person
26 who maintains storage facilities for motor fuel and uses all or part
27 of the stored motor fuel to operate a motor vehicle.

1 Sec. 371.052. FUEL SALES TAX AUTHORIZED. (a) An authority,
2 by order of its board, may impose a sales tax on gasoline and diesel
3 fuel sold in the territory of the authority to propel a motor
4 vehicle on the public highways of this state.

5 (b) An authority may impose a tax under this subchapter only
6 if the tax is approved at an election held under Section 371.054.

7 Sec. 371.053. RATE OF TAX. The tax authorized by this
8 subchapter may be imposed in increments of one-eighth of one
9 percent, not to exceed two percent, of the sales price of gasoline
10 and diesel fuel sold in the authority and used to propel a motor
11 vehicle on the public highways of this state.

12 Sec. 371.054. ADOPTION ELECTION PROCEDURE. (a) An
13 election to adopt the tax authorized by this subchapter is called by
14 an order of the applicable board.

15 (b) At an election to adopt the tax, the ballot shall be
16 prepared to permit voting for or against the proposition: "The
17 adoption of a local fuel sales tax in the (name of) Metropolitan
18 Area Mobility Authority at the rate of (insert proposed rate)."

19 Sec. 371.055. ELECTION TO ABOLISH TAX OR CHANGE RATE. (a)
20 The board of an authority may order an election on the question of
21 abolishing or changing the rate of the tax authorized by this
22 subchapter.

23 (b) The board shall order an election on the question of
24 abolishing or changing the rate of the tax if the board receives a
25 petition requesting the election signed by a number of registered
26 voters of the authority equal to at least five percent of the total
27 vote received in the territory of the authority by all candidates

1 for governor in the most recent gubernatorial general election.

2 (c) The ballot at an election to change the rate of the tax
3 must be printed to permit voting for or against the proposition:
4 "Authorizing the (name of) Metropolitan Area Mobility Authority to
5 impose a local fuel sales tax at the rate of (insert proposed
6 rate)."

7 (d) The ballot at an election to abolish the tax must be
8 printed to permit voting for or against the proposition:
9 "Abolishing the local fuel sales tax in the (name of) Metropolitan
10 Area Mobility Authority."

11 Sec. 371.056. COMPUTATION OF TAX. (a) A person, including
12 a dealer or jobber, who makes a sale of gasoline or diesel fuel in
13 the authority to a person who uses the gasoline or diesel fuel to
14 propel a motor vehicle on the public highways of this state shall
15 collect the tax authorized by this subchapter for the benefit of the
16 applicable authority.

17 (b) The seller shall add the tax authorized by this
18 subchapter to the selling price of gasoline or diesel fuel, and the
19 tax is a part of the gasoline or diesel fuel price, is a debt owed to
20 the seller, and is recoverable at law in the same manner as the
21 gasoline or diesel fuel charge.

22 (c) The tax authorized by this subchapter is in addition to
23 the tax imposed by Chapter 162, Tax Code.

24 Sec. 371.057. EXEMPTIONS APPLICABLE. The exemptions
25 provided by Sections 162.104 and 162.204, Tax Code, apply to the tax
26 authorized by this subchapter.

27 Sec. 371.058. EFFECTIVE DATE OF TAX OR TAX CHANGE. The

1 adoption or abolition of the tax authorized by this subchapter or a
2 change in a tax rate takes effect on the date prescribed by the
3 order imposing or abolishing the tax or changing the rate.

4 Sec. 371.059. COLLECTION AND ENFORCEMENT OF TAX. (a) A
5 person required to collect the tax authorized by this subchapter
6 shall report and send the taxes to the applicable authority as
7 provided by that authority.

8 (b) The board of an authority by order may prescribe
9 monetary penalties, including interest charges, for failure to keep
10 records required by this subchapter, to report when required, or to
11 pay the tax when due.

12 (c) The board of an authority by order may permit a person
13 who is required to collect the tax authorized by this subchapter to
14 retain a percentage of the amount collected and required to be
15 reported as reimbursement to the person for the costs of collecting
16 the tax. The board may provide that the person may retain the
17 amount only if the person pays the tax and files reports as required
18 by the authority.

19 (d) The attorney acting for the authority may bring suit
20 against a person who violates this subchapter.

21 Sec. 371.060. REFUND. (a) A person who has paid the tax
22 authorized by this subchapter on gasoline or diesel fuel used by the
23 person for a purpose other than to propel a motor vehicle on the
24 public highways of this state or for a use exempted under Section
25 371.057 may file a claim for a refund.

26 (b) An authority shall prescribe the procedures a person
27 must use to obtain a refund under this section.

1 Sec. 371.061. REQUIRED PERMIT. The board of an authority
2 may require a dealer, jobber, or other person required to collect,
3 report, and pay the tax authorized by this subchapter to obtain a
4 permit from the authority.

5 Sec. 371.062. TRANSFER TO COMPTROLLER. (a) Not later than
6 the last day of the first month following each calendar quarter, the
7 custodian of the authority treasury shall send to the comptroller
8 an amount equal to one-fourth of the taxes collected during that
9 calendar quarter after payment of all refunds allowed by law and
10 expenses of collection.

11 (b) The comptroller shall deposit money received under this
12 section to the credit of the available school fund.

13 Sec. 371.063. USE OF TAX PROCEEDS. Except as provided by
14 Section 371.062, an authority may use net tax revenue received
15 under this subchapter only for a purpose authorized by Section 7-a,
16 Article VIII, Texas Constitution.

17 [Sections 371.064-371.100 reserved for expansion]

18 SUBCHAPTER C. SALES AND USE TAX

19 Sec. 371.101. IMPOSITION, COMPUTATION, ADMINISTRATION, AND
20 GOVERNANCE OF SALES TAX. (a) An authority, by order of its board,
21 may impose a sales and use tax.

22 (b) Chapter 323, Tax Code, to the extent not inconsistent
23 with this subchapter, governs the imposition, computation,
24 administration, and governance of the sales and use tax under this
25 subchapter, except that Sections 323.101 and 323.105 and
26 323.401-323.408, Tax Code, do not apply.

27 (c) Chapter 323, Tax Code, does not apply to the use and

1 allocation of revenue under this subchapter.

2 (d) In applying the procedures under Chapter 323, Tax Code,
3 to an authority, the authority's name is substituted for "the
4 county," and "board of directors" is substituted for "commissioners
5 court."

6 Sec. 371.102. SALES AND USE TAX RATE. The rate of a sales
7 and use tax imposed under this subchapter is three-eighths of one
8 percent.

9 Sec. 371.103. EFFECTIVE DATE OF SALES AND USE TAX. (a) The
10 sales and use tax imposed under this subchapter takes effect on the
11 first day of the first calendar quarter occurring after the
12 expiration of the first complete calendar quarter occurring after
13 the date on which the comptroller receives a notice of the board's
14 order imposing the tax.

15 (b) If the comptroller determines that an effective date
16 provided by Subsection (a) will occur before the comptroller can
17 reasonably take the action required to begin collecting the tax,
18 the comptroller may postpone the effective date until the first day
19 of the next calendar quarter.

20 Sec. 371.104. IMPOSITION IN MUNICIPALITY OR COUNTY WITH
21 OTHER TAXING AUTHORITY. (a) If an authority is included within the
22 boundaries of another taxing authority and the imposition of the
23 tax under this subchapter would result in a combined tax rate of
24 more than two percent in any location in the authority, the tax rate
25 of the other taxing authority is automatically reduced to the
26 highest rate that will not result in a combined tax rate of more
27 than two percent in any location in the authority. If the authority

1 is included within the boundaries of more than one taxing
2 authority, the board shall choose which taxing authority's tax will
3 be reduced.

4 (b) The rate of the tax imposed by the other taxing
5 authority is increased without further action of the governing body
6 or the voters of the other taxing authority on the date on which the
7 tax imposed under this subchapter is abolished by the board, but
8 only to the extent that any tax imposed by the other taxing
9 authority was reduced under this section when the board ordered the
10 imposition of the tax under this subchapter.

11 (c) This section does not permit a taxing authority to
12 impose taxes at differential tax rates within the territory of the
13 authority.

14 Sec. 371.105. ABOLITION OF TAX. (a) The board of an
15 authority by order may abolish a sales and use tax imposed under
16 this subchapter.

17 (b) A sales and use tax imposed under this subchapter may
18 not be collected after the last day of the first calendar quarter
19 occurring after notification to the comptroller by the authority
20 that the board has abolished the tax.

21 (c) An authority shall notify the comptroller of the
22 abolition of the tax not later than the 30th day after the date its
23 board adopts an order under Subsection (a).

24 [Sections 371.106-371.150 reserved for expansion]

25 SUBCHAPTER D. ADDITIONAL VEHICLE REGISTRATION FEE

26 Sec. 371.151. ADDITIONAL COUNTY REGISTRATION FEE FOR
27 BENEFIT OF AUTHORITY. The commissioners court of a county located

1 in an authority by order shall impose an additional fee for
2 registering a vehicle in the county if the question of imposing the
3 fee is submitted to and approved by the voters of each county in the
4 authority. The fee is for the use and benefit of the authority.

5 Sec. 371.152. CALLING OF ELECTION. (a) An election
6 authorized by Section 371.151 is called by the adoption of an order
7 by the commissioners courts of the counties in an authority.

8 (b) The commissioners courts shall call the election on
9 receipt of a resolution or order of the board requesting that the
10 election be called. The resolution or order of the board must
11 specify the amount of the proposed additional registration fee.

12 Sec. 371.153. ELECTION DATE. An election under Section
13 371.151 must be held on the next uniform election date that occurs
14 after the date of the election order and that allows sufficient time
15 to comply with the requirements of other law.

16 Sec. 371.154. BALLOT. (a) At an election to adopt the
17 additional fee, the ballot shall be prepared to permit voting for or
18 against the proposition: "The adoption of an additional vehicle
19 registration fee in (name of county) in the amount of (\$____) for
20 the use and benefit of (name of authority)."

21 (b) The additional fee may not be imposed unless in each
22 county of the authority a majority of the voters voting in the
23 election favor the proposition.

24 Sec. 371.155. EXEMPTION. A vehicle that may be registered
25 under Chapter 502 or 504 without payment of a registration fee may
26 be registered in a county imposing a fee under this subchapter
27 without payment of the additional fee.

1 Sec. 371.156. EFFECTIVE DATE. A fee imposed under this
2 subchapter may take effect only on January 1 of a year. The
3 commissioners court of a county must adopt the order and notify the
4 department not later than September 1 of the year preceding the year
5 in which the fee takes effect.

6 Sec. 371.157. REMOVAL. (a) A fee imposed under this
7 subchapter may be removed by the commissioners court of a county on
8 receipt of a resolution or order of the applicable board requesting
9 removal of the fee.

10 (b) The removal may take effect only on January 1 of a year.
11 A county may remove the fee only by:

12 (1) rescinding the order imposing the fee; and

13 (2) notifying the department not later than September
14 1 of the year preceding the year in which the removal takes effect.

15 Sec. 371.158. COLLECTION. (a) The county
16 assessor-collector of a county imposing a fee under this subchapter
17 shall collect the additional fee for a vehicle when other fees
18 imposed under Chapter 502 or 504 are collected.

19 (b) The department shall collect the additional fee on a
20 vehicle that is owned by a resident of a county imposing a fee under
21 this subchapter and that under Chapter 502 or 504 must be registered
22 directly with the department. The department shall send all fees
23 collected for a county under this subsection to the county
24 treasurer.

25 (c) The department shall adopt rules and develop forms
26 necessary to administer registration by mail for a vehicle being
27 registered in a county imposing a fee under this subchapter.

1 (d) Each fee collected or received by a county treasurer
2 under this subchapter shall be sent, without deduction, to the
3 authority.

4 SECTION 2. Subchapter F, Chapter 162, Tax Code, is amended
5 by adding Section 162.506 to read as follows:

6 Sec. 162.506. PAYMENT TO METROPOLITAN AREA MOBILITY
7 AUTHORITY. On or before the 15th day of each month, the comptroller
8 shall:

9 (1) using the best available sources of statistical
10 data, determine the estimated average or actual consumption in the
11 territory of each metropolitan area mobility authority in this
12 state during the preceding month of gasoline, diesel fuel, and
13 liquefied gas used to propel motor vehicles on public highways;

14 (2) from the number of gallons determined under
15 Subdivision (1), determine the taxes collected under this chapter
16 that were paid on that gasoline, diesel fuel, and liquefied gas; and

17 (3) from money deposited to the credit of the state
18 highway fund, make a payment through the electronic funds transfer
19 system to each metropolitan area mobility authority in an amount
20 equal to 85 percent of the amount determined under Subdivision (2).

21 SECTION 3. (a) On the date agreed upon by the board of
22 directors of the applicable metropolitan area mobility authority
23 and the board of directors of a regional mobility authority having
24 territory in a metropolitan area mobility authority, but not later
25 than the first anniversary of the date that a majority of the
26 initial board of directors of the metropolitan area mobility
27 authority have been appointed and have qualified for office:

1 (1) the assets, rights, and obligations of the
2 regional mobility authority are transferred to the metropolitan
3 area mobility authority;

4 (2) the metropolitan area mobility authority shall
5 succeed to all assets, rights, and other property of the regional
6 mobility authority, including roadways, rights-of-way, toll
7 projects and proposed extensions to those projects, administration
8 buildings, and all other facilities, improvements, leaseholds,
9 funds, accounts, and investments;

10 (3) the metropolitan area mobility authority shall
11 assume and become liable for all duties and obligations of the
12 regional mobility authority related to the assets, rights, and
13 properties transferred under Subdivision (2) of this subsection,
14 including contracts and bonds secured by the revenues of the
15 assets, and the metropolitan area mobility authority is obligated
16 to comply with all the assumed obligations to the same extent as the
17 regional mobility authority;

18 (4) a rule or regulation adopted by the regional
19 mobility authority relating to the operation of a turnpike before
20 that date that is not inconsistent with this Act remains in effect
21 as a rule or regulation of the metropolitan area mobility authority
22 until superseded by action of that entity; and

23 (5) to provide continuity of services, the board of
24 directors of the metropolitan area mobility authority may enter
25 into a contract with the board of directors of the regional mobility
26 authority under which the regional mobility authority will manage
27 the assets, rights, and other property of the regional mobility

1 authority transferred to the metropolitan area mobility authority
2 under this section in the manner and under the terms and conditions
3 agreed to by those boards of directors and specified in the
4 contract.

5 (b) The metropolitan area mobility authority is a successor
6 agency to the regional mobility authority for all purposes,
7 including for the purpose of Section 52-b, Article III, Texas
8 Constitution, concerning all assets, rights, other property,
9 duties, and obligations transferred to the metropolitan area
10 mobility authority under this Act.

11 (c) Any existing agreement by and between the regional
12 mobility authority and this state, the Texas Transportation
13 Commission, the Texas Department of Transportation, the Federal
14 Highway Administration, the United States Department of
15 Transportation, any other federal or state governmental entity, or
16 any local governmental entity that pertains to an asset, right, or
17 obligation transferred to the metropolitan area mobility authority
18 under this Act is binding on, benefits, and is fully enforceable by
19 and against the metropolitan area mobility authority.

20 SECTION 4. (a) On the date agreed upon by the board of
21 directors of the applicable metropolitan area mobility authority
22 and the governing body of a metropolitan rapid transit authority
23 operating under Chapter 451, Transportation Code, or a regional
24 transportation authority operating under Chapter 452 of that code,
25 but not later than the first anniversary of the date that a majority
26 of the initial board of directors of the metropolitan area mobility
27 authority have been appointed and have qualified for office:

1 (1) all assets, rights, and obligations of the
2 metropolitan rapid transit authority or regional transportation
3 authority that pertain to or are associated with a commuter rail
4 system, fixed rail transit system, light rail system, or light rail
5 mass transit system are transferred to the metropolitan area
6 mobility authority;

7 (2) the metropolitan area mobility authority shall
8 succeed to all assets, rights, and other property of the
9 metropolitan rapid transit authority or regional transportation
10 authority that pertain to or are associated with a system described
11 by Subdivision (1) of this subsection, including rolling stock,
12 fixed guideway rails, rights-of-way, administration buildings, and
13 all other facilities, improvements, leaseholds, funds, accounts,
14 and investments related to that system;

15 (3) the metropolitan area mobility authority shall
16 assume and become liable for all duties and obligations of the
17 metropolitan rapid transit authority or regional transportation
18 authority that relate to the system described by Subdivision (1) of
19 this section or to the assets, rights, and properties transferred
20 under Subdivision (2) of this subsection, including contracts and
21 bonds secured by the revenues of the assets, and the metropolitan
22 area mobility authority is obligated to comply with all the assumed
23 obligations to the same extent as the metropolitan rapid transit
24 authority or regional transportation authority;

25 (4) a rule or regulation adopted by the metropolitan
26 rapid transit authority or regional transportation authority
27 relating to the operation of a system described by Subdivision (1)

1 of this subsection before that date that is not inconsistent with
2 this Act remains in effect as a rule or regulation of the
3 metropolitan area mobility authority until superseded by action of
4 that entity; and

5 (5) to provide continuity of services, the board of
6 directors of the metropolitan area mobility authority may enter
7 into a contract with the governing body of the metropolitan rapid
8 transit authority or regional transportation authority under which
9 the metropolitan rapid transit authority or regional
10 transportation authority will manage the assets, rights, and other
11 property of the metropolitan rapid transit authority or regional
12 transportation authority transferred to the metropolitan area
13 mobility authority under this section, in the manner and under the
14 terms and conditions agreed to by the governing body and the board
15 of directors and specified in the contract.

16 (b) Any existing agreement by and between the metropolitan
17 rapid transit authority or regional transportation authority and
18 this state, the Texas Transportation Commission, the Texas
19 Department of Transportation, the Federal Highway Administration,
20 the United States Department of Transportation, any other federal
21 or state governmental entity, or any local governmental entity that
22 pertains to an asset, right, or obligation transferred to the
23 metropolitan area mobility authority under this section is binding
24 on, benefits, and is fully enforceable by and against the
25 metropolitan area mobility authority.

26 SECTION 5. (a) On the date agreed upon by the board of
27 directors of the applicable metropolitan area mobility authority

1 and the governing body of an entity that operates an airport in the
2 territory of the authority, but not later than the first
3 anniversary of the date that a majority of the initial board of
4 directors of the metropolitan area mobility authority have been
5 appointed and have qualified for office:

6 (1) all assets, rights, and obligations of the
7 operating entity that pertain to or are associated with the airport
8 are transferred to the metropolitan area mobility authority;

9 (2) the metropolitan area mobility authority shall
10 succeed to all assets, rights, and other property of the operating
11 entity that pertain to or are associated with the airport,
12 including administration buildings and all other facilities,
13 improvements, leaseholds, funds, accounts, and investments related
14 to the airport;

15 (3) the metropolitan area mobility authority shall
16 assume and become liable for all duties and obligations of the
17 operating entity that relate to the airport or to the assets,
18 rights, and properties transferred under Subdivision (2) of this
19 section, including contracts and bonds secured by the revenues of
20 the assets, and the metropolitan area mobility authority is
21 obligated to comply with all the assumed obligations to the same
22 extent as the operating entity;

23 (4) a rule or regulation adopted by the operating
24 entity relating to the operation of the airport before that date
25 that is not inconsistent with this Act remains in effect as a rule
26 or regulation of the metropolitan area mobility authority until
27 superseded by action of that entity; and

1 (5) to provide continuity of services, the board of
2 directors of the metropolitan area mobility authority may enter
3 into a contract with the entity that operates the airport under
4 which that entity will manage the assets, rights, and other
5 property of the metropolitan rapid transit authority or regional
6 transportation authority transferred to the metropolitan area
7 mobility authority under this section, in the manner and under the
8 terms and conditions agreed to by the governing body and the
9 governing body of the operating entity.

10 (b) Any existing agreement by and between the entity that
11 operates the airport and this state, the Texas Transportation
12 Commission, the Texas Department of Transportation, the Federal
13 Aviation Administration, the United States Department of
14 Transportation, any other federal or state governmental entity, or
15 any local governmental entity that pertains to an asset, right, or
16 obligation transferred to the metropolitan area mobility authority
17 under this section is binding on, benefits, and is fully
18 enforceable by and against the metropolitan area mobility
19 authority.

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