

By: Brimer

S.B. No. 1482

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the acquisition of toll projects and real property by
3 the Texas Department of Transportation and regional mobility
4 authorities.

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

6 SECTION 1. Subchapter A, Chapter 228, Transportation Code,
7 is amended by adding Section 228.011 to read as follows:

8 Sec. 228.011. ACQUISITION OF TOLL PROJECTS. (a) The
9 commission may authorize the department to enter into an agreement
10 with a governmental entity to acquire a toll project or system from
11 the entity and to:

12 (1) issue bonds to acquire from the entity the toll
13 project or system as provided by Subsection (c);

14 (2) assume any debts, obligations, and liabilities of
15 the entity relating to the toll project or system transferred to the
16 department; or

17 (3) carry out any combination of actions authorized by
18 Subdivisions (1) and (2).

19 (b) An agreement under this section may include any terms
20 the department determines to be in the best interest of the state.

21 (c) The commission may issue toll revenue bonds under
22 Subchapter C or use any other legally available funds for the
23 purpose of acquiring a toll project or system at a price determined
24 by the department. The department's determination of price is

1 conclusive.

2 SECTION 2. Section 370.163(a), Transportation Code, is
3 amended to read as follows:

4 (a) Except as otherwise provided by this subchapter, the
5 governing body of an authority has the same powers and duties
6 relating to the condemnation and acquisition of real property for a
7 transportation project that the commission and the department have
8 under Subchapter F, Chapter 202, and Subchapter D, Chapter 203,
9 relating to the condemnation or purchase of real property for a toll
10 project.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2007.