

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 23, 2007

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB965 by Shapiro (Relating to the powers and duties of a regional tollway authority related to turnpikes and other related projects.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to give a regional tollway authority the power to enter into a comprehensive development agreement (CDA) with a private entity to design, develop, finance, construct, maintain, repair, operate, extend, or expand a turnpike project. The authority would be required to allocate the distribution of funds received to the counties of the authority based on the percentage of toll revenue from users, from each county, of the project that is the subject of the CDA. In addition, without supervision or regulation by a state agency or local government entity, the board of a regional tollway authority would be allowed to authorize use of surplus revenue of a turnpike project or system for the study, design, construction, maintenance, repair, and operation of a highway or similar facility that is not a turnpike project in certain circumstances.

The regional tollway authority would be required to adopt rules governing (1) the award of contracts for engineering, design, construction, and maintenance services in a single procurement and (2) the award of contracts using construction manager-at-risk procedures.

If an authority is requested by the Texas Transportation Commission to participate in the development of a turnpike project that has been designated as part of the Trans-Texas Corridor, the authority would have the same powers granted under Chapter 366, Transportation Code, as those of the Texas Department of Transportation.

The bill would take effect September 1, 2007.

Local Government Impact

According to the Texas Department of Transportation, the bill would affect only the North Texas Tollway Authority. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, DB