

Amend Amendment No. 123 by Smith of Harris to CSHB 300 (on page 317 of the prefiled amendment packet) as follows:

In ARTICLE ____ of the bill, by adding the following SECTIONS, appropriately numbered, and renumbering existing SECTIONS in ARTICLE ____ accordingly:

SECTION ____ . Chapter 223, Transportation Code, is amended by adding Sections 223.2011 to read as follows:

Sec. 223.2011. CDA AUTHORITY IN POPULOUS COUNTY FOR CERTAIN PROJECTS.

(a) This Subsection applies only to (i) the portion of I-69 and the Trans-Texas Corridor and any successor project located in a county with a population of 3.3 million or more and any adjacent county, (ii) any comprehensive development agreement or related agreement entered into by the department in connection with such projects, and (iii) any toll or other projects in the region the revenues or assets of which are to be used in connection with the financing of such projects.

(b) As used in this Subsection the term "region" means a county with a population of 3.3 million or more and the counties that are adjacent to that county.

(c) Any payments, project savings, refinancing dividends, and any other revenue, including surplus revenue, received by the commission or the department under the comprehensive development agreement or any related agreement, and any revenue attributable to any toll or other projects in the region, shall be used only to pay the costs or to finance the construction, maintenance, or operation of transportation projects or air quality projects in the region.

(d) No third party shall have any rights under the comprehensive development agreement or any related agreement that conflicts with, infringes on or impairs the rights of any county with respect to the development or operation of any project under Section 228.011 or Section 228.0111 or other applicable law that provides for a process under which the county has the first option to develop and operate a project.

(e) A comprehensive development agreement and any related agreement that includes a provision that grants a private entity the right to finance and develop a toll project in the region or

collect and receive toll revenue from a project in the region shall not be effective unless the agreement meets the requirements of this Section.