

1-1 By: Carona S.B. No. 293  
1-2 (In the Senate - Filed November 13, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; March 9, 2009, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 8,  
1-6 Nays 0; March 9, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 293 By: Carona

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the pledge of certain revenue of a regional  
1-11 transportation authority to the payment of bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 452.357, Transportation  
1-14 Code, is amended to read as follows:

1-15 (a) To secure the payment of an authority's bonds, the  
1-16 authority may:

1-17 (1) pledge all or part of revenue realized from any tax  
1-18 that the authority may impose;

1-19 (2) pledge any part of the revenue of the public  
1-20 transportation system;

1-21 (3) mortgage any part of the public transportation  
1-22 system, including any part of the system subsequently acquired;  
1-23 ~~[and]~~

1-24 (4) pledge all or part of funds the federal government  
1-25 has committed to the authority as grants in aid; and

1-26 (5) provide that a pledge of revenue described by  
1-27 Subdivision (1) or (2) is a first lien or charge against that  
1-28 revenue.

1-29 SECTION 2. Section 452.358, Transportation Code, is amended  
1-30 to read as follows:

1-31 Sec. 452.358. USE [PLEDGE] OF REVENUE [LIMITED]. Revenue  
1-32 in excess of amounts pledged under Section 452.357(a)(1) or (2)  
1-33 shall be used to:

1-34 (1) pay the [The] expenses of operation and  
1-35 maintenance of a public transportation system, including salaries,  
1-36 labor, materials, and repairs necessary to provide efficient  
1-37 service and every other proper item of expense; and

1-38 (2) fund operating reserves~~[, are a first lien and~~  
1-39 ~~charge against any revenue of a public transportation system that~~  
1-40 ~~is encumbered under this chapter].~~

1-41 SECTION 3. This Act takes effect immediately if it receives  
1-42 a vote of two-thirds of all the members elected to each house, as  
1-43 provided by Section 39, Article III, Texas Constitution. If this  
1-44 Act does not receive the vote necessary for immediate effect, this  
1-45 Act takes effect September 1, 2009.

1-46 \* \* \* \* \*