

By: Davis, Wendy

S.B. No. 1233

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of certain money received by the Texas
3 Department of Transportation from certain transportation projects
4 or systems.

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

6 SECTION 1. Section 228.005, Transportation Code, is amended
7 to read as follows:

8 Sec. 228.005. REVENUE OF TOLL PROJECT OR SYSTEM. (a)
9 Except as provided by Subchapter C, toll revenue or other revenue
10 derived from a toll project or system that is collected or received
11 by the department under this chapter, and a payment received by the
12 department under a comprehensive development agreement for a toll
13 project or system:

14 (1) shall be deposited in the state highway fund,
15 except as provided by Subsection (b); and

16 (2) is exempt from the application of Section 403.095,
17 Government Code.

18 (b) In a region served by a metropolitan planning
19 organization that serves two adjacent counties that each has a
20 population of one million or more, revenue or a payment described
21 by Subsection (a) shall be deposited in an account designated by the
22 metropolitan planning organization, used for the purposes
23 specified by Sections 228.0055 and 228.006, and distributed in
24 compliance with those sections.

1 SECTION 2. Section 228.012(b), Transportation Code, is
2 amended to read as follows:

3 (b) The department shall hold money in a subaccount in trust
4 for the benefit of the region in which a project or system is
5 located and may assign the responsibility for allocating and
6 distributing money in a subaccount to a metropolitan planning
7 organization in which the region is located for projects approved
8 by the department. Except as provided by Subsection (c), money
9 shall be allocated and distributed to projects or to the
10 metropolitan planning organization for projects authorized by
11 Section 228.0055 or Section 228.006, as applicable.

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