

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATURE 1st CALLED SESSION - 2009
Revision 1

July 1, 2009

TO: Honorable Steve Ogden, Chair, Senate Committee on Finance

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

IN RE: SB3 by Nichols (Relating to the design, development, financing, construction, and operation of certain toll projects; granting the authority to issue bonds.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to revise existing laws relating to the valuation and development processes for certain toll projects under a comprehensive development agreement (CDA) or other public-private partnership arrangement. The bill would require a local toll project entity to reimburse the Texas Department of Transportation (TxDOT) for the use of state highway right-of-way or access under certain procedures established by the bill. The bill would exempt certain transportation projects from certain changes in law that would be made by the bill, and the laws in effect prior to the enactment of the bill would apply to those projects.

The bill would revise existing laws to extend the deadline from August 31, 2009 to August 31, 2013 for private entities to enter into CDAs with Regional Mobility Authorities (RMAs). The bill would also authorize the same extension for certain projects between private entities and TxDOT contingent upon TxDOT entering into the CDA on or before August 31, 2013.

The bill would require the Comptroller of Public Accounts (CPA) to review and certify certain projects where TxDOT or an RMA would enter into a CDA with a private entity.

Based on the analysis of TxDOT and the CPA, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on the 91st day after the last day of the legislative session.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 308 State Auditor's Office, 601 Department of Transportation

LBB Staff: JOB, MN, MW, SD