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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 26, 2009

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TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: **SB404** by Carona (Relating to the authority of certain toll project entities to enter into a comprehensive development agreement.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would extend the expiration date in current law from August 31, 2009, to August 31, 2015 for the statutory authority of the Texas Department of Transportation (TxDOT) and a Regional Mobility Authority (RMA) to enter into a new comprehensive development agreement (CDA). The bill would also extend the expiration date in current law from August 31, 2009, to August 31, 2017 for the authority of TxDOT and an RMA to enter into a CDA (1) that includes one or more managed lane facilities to be added to an existing controlled-access highway; (2) the major portion of which is located in a nonattainment or near-nonattainment air quality area as designated by the United States Environmental Protection Agency; and (3) for which the department has issued a request for qualifications before May 1, 2007 (TxDOT CDA), or before June 11, 2007 (RMA CDA). The bill would take effect on September 1, 2009, contingent upon the enactment of Senate Bill 17 or another similar bill of the Eighty-first Legislature, Regular Session, 2009, relating to the design, development, financing, construction, and operation of certain toll projects including the determination of the primacy process for local toll entities.

Based on the analysis of TxDOT, it is assumed the provisions of the bill would not result in a significant fiscal impact to the state.

Local Government Impact

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

Source Agencies: 601 Department of Transportation
LBB Staff: JOB, KJG, TG