

Amend CSSB 1420 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 370.305, Transportation Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) ~~[An authority may use a comprehensive development agreement with a private entity to construct, maintain, repair, operate, extend, or expand a transportation project.]~~

~~[(b)]~~ A comprehensive development agreement is an agreement with a private entity that, at a minimum, provides for the design and construction of a transportation project and may also provide for the financing, acquisition, maintenance, or operation of a transportation project.

(b) Except as provided by Subsection (b-1), an authority may enter into a comprehensive development agreement with a private entity for the design and construction of a transportation project that may also provide for the financing of the project.

(b-1) Unless specifically authorized by the legislature, an authority may not enter into a comprehensive development agreement with a private entity for the design and construction of a transportation project if the comprehensive development agreement entitles the private entity:

(1) to an ownership or leasehold interest in the transportation project; or

(2) to the right to operate or retain revenue from the transportation project.

(b) Sections 370.305(d), (e), and (f), Transportation Code, are repealed.

(c) The changes in law made by Section 370.305, Transportation Code, as amended by this section, apply only to a comprehensive development agreement entered into on or after the effective date of this section. A comprehensive development agreement entered into before the effective date of this section is governed by the law in effect on that date, and that law is continued in effect for that purpose.