

By: Shapiro

S.B. No. 163

A BILL TO BE ENTITLED

AN ACT

1
2 relating to agreements between a regional tollway authority and a
3 local governmental entity governing the ownership, construction,
4 maintenance, and operation of toll projects.

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

6 SECTION 1. Section 366.303, Transportation Code, is amended
7 by amending Subsection (d) and adding Subsections (f) and (g) to
8 read as follows:

9 (d) The term of an agreement under Subsections (a) through
10 (c) [~~this section~~] may not exceed 40 years.

11 (f) Except as provided by Subsection (g), a local
12 governmental entity may not own, construct, maintain, or operate a
13 turnpike project or other toll project, as that term is defined by
14 Section 201.001, in a county that is part of an authority unless the
15 local governmental entity and the authority enter into a written
16 agreement specifying the terms and conditions under which the
17 project will be undertaken.

18 (g) Subsection (f) does not apply to a turnpike project or
19 toll project located in a county to which an authority has
20 transferred under Section 366.036 or leased, sold, or conveyed
21 under Section 366.172:

22 (1) all turnpike projects of the authority that are
23 located in the county; and

24 (2) all work product developed by the authority in

1 determining the feasibility of the construction, improvement,
2 extension, or expansion of a turnpike project to be located in the
3 county.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2011.