

By: Phillips

H.B. No. 2743

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and jurisdiction of a regional mobility  
3 authority.

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

5 SECTION 1. Sections 370.033(c) and (f), Transportation  
6 Code, are amended to read as follows:

7 (c) An authority may~~[, if requested by the commission,]~~  
8 perform any function not specified by this chapter to promote or  
9 develop a transportation project ~~[in the authority's area of~~  
10 ~~jurisdiction]~~.

11 (f) An authority and a governmental entity may enter into a  
12 contract, agreement, interlocal agreement, or other similar  
13 arrangement under which the authority may acquire, plan, design,  
14 construct, maintain, repair, or operate a transportation project on  
15 behalf of the governmental entity, regardless of whether the  
16 project is located in the authority's area of jurisdiction. An  
17 authority may enter into a contract or agreement with the  
18 department under which the authority will acquire, plan, construct,  
19 develop, operate, repair, or maintain a transportation project on  
20 behalf of the department~~[, subject to the transportation project~~  
21 ~~being in the authority's area of jurisdiction]~~. A contract or  
22 agreement under this subsection may contain terms and conditions as  
23 may be approved by an authority, including payment obligations of  
24 the governmental entity and the authority.

1 SECTION 2. Section 370.161, Transportation Code, is amended  
2 to read as follows:

3 Sec. 370.161. TRANSPORTATION PROJECTS EXTENDING INTO OTHER  
4 COUNTIES. [~~a~~] An authority may study, evaluate, design,  
5 finance, acquire, construct, operate, maintain, repair, expand, or  
6 extend a transportation project [~~only~~] in:

7 (1) a county that is a part of the authority;

8 (2) a county in this state that is not a part of the  
9 authority if the county and authority enter into an agreement under  
10 Section 370.033(f) [~~+~~

11 [~~(A) the transportation project in that county is~~  
12 ~~a continuation of a transportation project of the authority~~  
13 ~~extending from a county adjacent to that county;~~

14 [~~(B) the county is given an opportunity to become~~  
15 ~~part of the authority on terms and conditions acceptable to the~~  
16 ~~authority and that county; and~~

17 [~~(C) the commissioners court of the county agrees~~  
18 ~~to the proposed acquisition, construction, operation, maintenance,~~  
19 ~~expansion, or extension of the transportation project in that~~  
20 ~~county]; or~~

21 (3) a county in another state or the United Mexican  
22 States if:

23 (A) each governing body of a political  
24 subdivision in which the project will be located agrees to the  
25 proposed study, evaluation, design, financing, acquisition,  
26 construction, operation, maintenance, repair, expansion, or  
27 extension;

1 (B) the project will bring significant benefits  
2 to the counties in this state that are part of the authority;

3 (C) the county in the other state is adjacent to a  
4 county that ~~is~~:

5 (i) is part of the authority studying,  
6 evaluating, designing, financing, acquiring, constructing,  
7 operating, maintaining, repairing, expanding, or extending the  
8 transportation project; and

9 (ii) has a municipality with a population  
10 of 500,000 or more; and

11 (D) the governor approves the proposed study,  
12 evaluation, design, financing, acquisition, construction,  
13 operation, maintenance, repair, expansion, or extension.

14 SECTION 3. Section 370.181(b), Transportation Code, is  
15 amended to read as follows:

16 (b) An authority may enter into an agreement with one or  
17 more persons to provide, on terms and conditions approved by the  
18 authority, personnel and services to design, construct, operate,  
19 maintain, expand, enlarge, or extend a ~~the~~ transportation project  
20 owned or operated by ~~of~~ the authority.

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2013.