

By: Raymond

H.B. No. 2800

A BILL TO BE ENTITLED

AN ACT

relating to funding for certain county transportation infrastructure projects.

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

SECTION 1. Subtitle Z, Title 6, Transportation Code, is amended by adding Chapter 473 to read as follows:

CHAPTER 473. STATE AND COUNTY TRANSPORTATION INFRASTRUCTURE

Sec. 473.001. DEFINITIONS. In this chapter:

(1) "Fund" means the transportation infrastructure fund established under this chapter.

(2) "Transportation infrastructure plan" means a comprehensive road construction, maintenance, and improvement plan prepared by a county that includes transportation infrastructure projects to be funded by distributions from the fund.

(3) "Transportation infrastructure project" means the construction, reconstruction, or maintenance of transportation infrastructure intended to alleviate degradation caused by the exploration, development, or production of oil or gas.

Sec. 473.002. TRANSPORTATION INFRASTRUCTURE FUND. (a) The transportation infrastructure fund is a dedicated account in the general revenue fund. The fund consists of money transferred to the credit of the fund under Subsections (b) and (c) and any interest or other return from investment of money in the fund.

(b) If in the preceding fiscal year the state received from

1 oil production taxes a net amount greater than the net amount of oil
2 production taxes received by the state in the fiscal year ending
3 August 31, 1987, the comptroller shall transfer to the fund an
4 amount equal to 25 percent of the difference between those amounts.

5 (c) If in the preceding fiscal year the state received from
6 gas production taxes a net amount greater than the net amount of gas
7 production taxes received by the state in the fiscal year ending
8 August 31, 1987, the comptroller shall transfer to the fund an
9 amount equal to 25 percent of the difference between those amounts.

10 (d) The comptroller shall transfer the amounts described by
11 Subsections (b) and (c) not later than the 90th day after the date
12 of the end of a fiscal year for which a transfer is required under
13 those subsections.

14 (e) Money in the fund may only be appropriated to the
15 comptroller for the purposes of this chapter.

16 (f) Sections 403.095 and 404.071, Government Code, do not
17 apply to the fund.

18 Sec. 473.003. FUND DISTRIBUTION. (a) The comptroller
19 shall annually distribute the amount appropriated to the fund for a
20 fiscal year to counties for transportation infrastructure
21 projects. A county shall deposit proceeds from a distribution
22 received under this section in the county's road and bridge fund.

23 (b) The amount distributed to a county from the fund in a
24 given fiscal year must be in proportion to the number of oil and gas
25 well completions in the county during the preceding three calendar
26 years compared to the total number of oil and gas well completions
27 in the state during the preceding three calendar years as certified

1 by the Railroad Commission of Texas.

2 (c) To receive a distribution under this section, a county
3 must:

4 (1) submit a transportation infrastructure plan,
5 including a budget for the plan;

6 (2) obtain approval of the transportation
7 infrastructure plan by the commission;

8 (3) describe the scope of the transportation
9 infrastructure projects to be funded by distributions from the
10 fund, including projects involving state highways maintained by the
11 department and roads maintained by the county; and

12 (4) state the amount of funding that the county will
13 provide for the transportation infrastructure projects.

14 (d) A transportation infrastructure plan submitted under
15 this section:

16 (1) must demonstrate that existing department and
17 county resources will be used to the extent possible; and

18 (2) may be amended, including by adding or removing
19 transportation infrastructure projects from the plan, with the
20 approval of the commission.

21 (e) To be eligible for a second or subsequent distribution
22 from the fund, a county must:

23 (1) provide a copy of its annual audit; and

24 (2) certify that all previous distributions are being
25 spent in accordance with the approved transportation
26 infrastructure plan.

27 SECTION 2. This Act takes effect September 1, 2013.