

By: Orr

H.B. No. 2921

A BILL TO BE ENTITLED

AN ACT

relating to the composition and governance of a regional tollway authority.

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

SECTION 1. Section 366.031, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e) A county that is not part of an authority and in which an authority turnpike project is located becomes part of the authority on the date the authority determines that:

(1) recorded electronic toll collections at toll assessment facilities located in the county are not less than four percent of all recorded electronic toll collections on all of the authority's turnpike projects; and

(2) the population of the county is at least four percent of the aggregate population of all the counties of the authority.

SECTION 2. Subchapter B, Chapter 366, Transportation Code, is amended by adding Section 366.0311 to read as follows:

Sec. 366.0311. ADVISORY BOARD FOR CERTAIN PROJECTS. (a) An authority shall create an advisory board to advise the board of directors on matters related to projects located outside the authority.

(b) The advisory board is composed of:

(1) the director appointed by the governor;

1 (2) an additional director appointed by the presiding
2 officer of the board of directors as the presiding officer deems
3 appropriate; and

4 (3) one member from each county that is not part of the
5 authority and in which a project is located appointed by the
6 commissioners court of that county.

7 (c) The board of directors may not make a decision that is
8 inconsistent with a recommendation of an advisory board unless the
9 board of directors issues a statement in writing addressing the
10 advisory board's recommendation.

11 (d) An advisory board member appointed under Subsection
12 (b)(3) is not a director of the authority for the purposes of
13 Section 366.251 or any other purpose.

14 (e) The board of directors may adopt rules governing the
15 operation and duties of an advisory board.

16 SECTION 3. Section 366.161, Transportation Code, is amended
17 to read as follows:

18 Sec. 366.161. TURNPIKE PROJECTS EXTENDING INTO OTHER
19 COUNTIES. An authority may acquire, construct, operate, maintain,
20 expand, or extend a turnpike project in:

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

22 (2) subject to Section 366.031(e), a county in which
23 the authority operates or is constructing a turnpike project if the
24 turnpike project in the affected county is a continuation of the
25 authority's turnpike project or system extending from an adjacent
26 county.

27 SECTION 4. Section 366.251(c), Transportation Code, is

1 amended to read as follows:

2 (c) In addition to directors appointed by a commissioners
3 court under Subsection (b), the commissioners courts of each county
4 that created the authority under Section 366.031 [~~of the authority~~]
5 shall appoint one additional director [~~if the county is:~~

6 [~~(1) a county that created the authority under Section~~
7 ~~366.031; or~~

8 [~~(2) a county in which all or part of a turnpike~~
9 ~~project of not less than 10 centerline miles in length is located~~
10 ~~and has been open for use by the traveling public for at least three~~
11 ~~years]~~.

12 SECTION 5. This Act takes effect September 1, 2013.