

Suspending limitations on conference committee
jurisdiction, S.B. No. 1747 (Uresti/Keffer)

By: Keffer

H.R. No. 3025

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 83rd Legislature, Regular Session, 2013, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on Senate Bill 1747 (funding and donations
6 for transportation projects, including projects of county energy
7 transportation reinvestment zones) to consider and take action on
8 the following matters:

9 (1) House Rule 13, Section 9(a)(1), is suspended to permit
10 the committee to change, alter, or amend text not in disagreement in
11 proposed SECTION 1 of the bill, in added Section 256.104(a)(1),
12 Transportation Code, to read as follows:

13 (1) provide the road condition report described by
14 Section 251.018 made by the county for the previous year; and

15 Explanation: The change is necessary to require counties
16 applying for grants under Subchapter C, Chapter 256, Transportation
17 Code, to submit only the county's road condition report for the
18 previous year.

19 (2) House Rule 13, Section 9(a)(1), is suspended to permit
20 the committee to change, alter, or amend text not in disagreement in
21 proposed SECTION 1 of the bill, in added Section 256.105,
22 Transportation Code, to read as follows:

23 Sec. 256.105. MATCHING FUNDS. (a) Except as provided by
24 Subsection (b), to be eligible to receive a grant under the program,

1 matching funds must be provided, from any source, in an amount equal
2 to at least 20 percent of the amount of the grant.

3 (b) A county that the department determines to be
4 economically disadvantaged must provide matching funds in an amount
5 equal to at least 10 percent of the amount of the grant.

6 (c) County funds spent for road and bridge purposes under
7 the county budget must be credited as matching funds under this
8 section.

9 Explanation: The change is necessary to require counties
10 applying for grants under Subchapter C, Chapter 256, Transportation
11 Code, to provide matching funds in certain amounts.

12 (3) House Rule 13, Section 9(a)(1), is suspended to permit
13 the committee to change, alter, or amend text not in disagreement in
14 proposed SECTION 1 of the bill, in added Section 256.106(a)(1),
15 Transportation Code, to read as follows:

16 (1) provide the department with a copy of a report
17 filed under Section 251.018;

18 Explanation: The change is necessary to require a county
19 making a second or subsequent grant application under Subchapter C,
20 Chapter 256, Transportation Code, to provide a report under Section
21 251.018, Transportation Code.

22 (4) House Rule 13, Section 9(a)(1), is suspended to permit
23 the committee to change, alter, or amend text not in disagreement in
24 proposed SECTION 2 of the bill, in added Section 222.1071(b),
25 Transportation Code, to read as follows:

26 (b) A county, after determining that an area is affected
27 because of oil and gas exploration and production activities and

1 would benefit from funding under Chapter 256, by order or
2 resolution of the commissioners court:

3 (1) may designate a contiguous geographic area in the
4 jurisdiction of the county to be a county energy transportation
5 reinvestment zone to promote one or more transportation
6 infrastructure projects, as that term is defined by Section
7 256.101, located in the zone; and

8 (2) may jointly administer a county energy
9 transportation reinvestment zone with a contiguous county energy
10 transportation reinvestment zone formed by another county.

11 Explanation: The change is necessary to provide that counties
12 must determine that an area is affected because of oil and gas
13 exploration before designating a county energy transportation
14 reinvestment zone.

15 (5) House Rule 13, Section 9(a)(4), is suspended to permit
16 the committee to add text on a matter which is not included in
17 either the house or senate version of the bill by adding the
18 following text to SECTION 2 of the bill, in added Section
19 222.1071(i), Transportation Code:

20 (5) pledge money in the tax increment account to a road
21 utility district formed as provided by Subsection (n).

22 Explanation: This addition is necessary to authorize a county
23 to pledge money in the tax increment account to a road utility
24 district.

25 (6) House Rule 13, Section 9(a)(4), is suspended to permit
26 the committee to add text on a matter which is not included in
27 either the house or senate version of the bill by adding the

1 following text to SECTION 2 of the bill, in added Section 222.1071,
2 Transportation Code:

3 (n) In the alternative, to assist the county in developing a
4 transportation infrastructure project, if authorized by the
5 commission under Chapter 441, a road utility district may be formed
6 under that chapter that has the same boundaries as a county energy
7 transportation reinvestment zone created under this section. The
8 road utility district may issue bonds to pay all or part of the cost
9 of a transportation infrastructure project and may pledge and
10 assign all or a specified amount of money in the tax increment
11 account to secure those bonds if the county:

12 (1) collects a tax increment; and

13 (2) pledges all or a specified amount of the tax
14 increment to the road utility district.

15 (o) A road utility district formed as provided by Subsection
16 (n) may enter into an agreement to fund development of a
17 transportation infrastructure project or to repay funds owed to the
18 department. Any amount paid for this purpose is considered to be
19 an operating expense of the district. Any taxes collected by the
20 district that are not paid for this purpose may be used for any
21 district purpose.

22 Explanation: This addition is necessary to authorize the
23 formation of a road utility district to assist a county in
24 developing a transportation infrastructure project.

25 (7) House Rule 13, Section 9(a)(4), is suspended to permit
26 the committee to add text on a matter which is not included in
27 either the house or senate version of the bill by adding the

1 following text as SECTIONS 7 and 8 of the bill:

2 SECTION 7. The amendment adding Sections 222.1071 and
3 222.1072 to Subchapter E, Chapter 222, Transportation Code, made by
4 this Act prevails over the amendment adding those sections to
5 Subchapter E, Chapter 222, Transportation Code, made by Section 1,
6 H.B. 2300, 83rd Legislature, Regular Session, 2013, and the
7 amendment made by Section 1, H.B. 2300, 83rd Legislature, Regular
8 Session, 2013, has no effect.

9 SECTION 8. Irrespective of the dates of enactment of this
10 Act and H.B. 1025, 83rd Legislature, Regular Session, 2013, and
11 otherwise consistent with the provisions of H.B. 1025, of the
12 amount appropriated from the general revenue fund to the Texas
13 Department of Transportation by H.B. 1025 for road repairs in
14 energy sectors, the department shall transfer \$225,000,000 from the
15 state highway fund to the transportation infrastructure fund
16 established by Section 256.102, Transportation Code, as added by
17 this Act, and that transferred amount is appropriated to the
18 department from the transportation infrastructure fund for the
19 two-year period beginning on the effective date of this Act for the
20 purposes of implementing Subchapter C, Chapter 256, Transportation
21 Code.

22 Explanation: This addition is necessary to provide that the
23 amendment adding Sections 222.1071 and 222.1072, Transportation
24 Code, prevails over other amendments made by the 83rd Legislature
25 adding those sections and to provide an appropriation for the
26 purposes of implementing Subchapter C, Chapter 256, Transportation
27 Code.