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. Chapter 256, Transportation Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. TRANSPORTATION INFRASTRUCTURE FUND

Sec. 256.101. DEFINITIONS. In this subchapter:

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

(2) "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. 256.102. 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 oil production taxes a net amount greater than the net amount of oil production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall transfer to the fund an amount equal to 25 percent of the difference between those amounts.
(c) If in the preceding fiscal year the state received from gas production taxes a net amount greater than the net amount of gas production taxes received by the state in the fiscal year ending August 31, 1987, the comptroller shall transfer to the fund an amount equal to 25 percent of the difference between those amounts. 

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

(e) Money in the fund may only be appropriated to the department for the purposes of this subchapter.

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

Sec. 256.103. GRANT PROGRAM. (a) The department shall establish and administer a program to make grants to counties for transportation infrastructure projects. 

(b) The amount of a grant provided to a county under the program in a given fiscal year must be in proportion to the amount of oil and gas production taxes collected in that county for that year.

(c) In applying for a grant under this section, a county shall:

(1) describe the scope of the transportation infrastructure project to be funded by the grant; 

(2) state the amount of funding that the county will provide for the transportation infrastructure project; and 

(3) provide the commissioner's road report required
under Section 251.005 for the previous two years showing the
degradation in transportation infrastructure caused by the
exploration, development, or production of oil or gas.

(d) To be eligible to receive a grant under the program, a
county must provide matching funds in an amount equal to at least
five percent of the amount of the grant.

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