

Suspending limitations on conference committee
jurisdiction, S.B. No. 1747

By: Uresti

S.R. No. 1093

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 83rd Legislature, Regular Session, 2013, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 1747 (funding and donations for transportation projects, including projects of county energy transportation reinvestment zones) to consider and take action on the following matters:

(1) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 1 of the bill, in added Section 256.104(a)(1), Transportation Code, to read as follows:

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

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

(2) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 1 of the bill, in added Section 256.105, Transportation Code, to read as follows:

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

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

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

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

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

(3) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 1 of the bill, in added Section 256.106(a)(1), Transportation Code, to read as follows:

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

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

(4) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 2 of the bill, in added Section 222.1071(b), Transportation Code, to read as follows:

(b) A county, after determining that an area is affected

because of oil and gas exploration and production activities and would benefit from funding under Chapter 256, by order or resolution of the commissioners court:

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

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

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

(5) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter which is not included in either the house or senate version of the bill by adding the following text to SECTION 2 of the bill, in added Section 222.1071(i), Transportation Code:

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

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

(6) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter which is not included in either

the house or senate version of the bill by adding the following text to SECTION 2 of the bill, in added Section 222.1071, Transportation Code:

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

(1) collects a tax increment; and

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

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

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

(7) Senate Rule 12.03(4) is suspended to permit the

S.R. No. 1093

committee to add text on a matter which is not included in either the house or senate version of the bill by adding the following text as SECTION 7 of the bill:

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

Explanation: This addition is necessary to provide that the amendment adding Sections 222.1071 and 222.1072, Transportation Code, prevails over other amendments made by the 83rd Legislature adding those sections.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate