

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

By: Uresti

S.R. No. 1093

R E S O L U T I O N

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

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

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

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

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

22 Sec. 256.105. MATCHING FUNDS. (a) Except as provided by  
23 Subsection (b), to be eligible to receive a grant under the program,  
24 matching funds must be provided, from any source, in an amount equal

1 to at least 20 percent of the amount of the grant.

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

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

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

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

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

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

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

25 (b) A county, after determining that an area is affected  
26 because of oil and gas exploration and production activities and  
27 would benefit from funding under Chapter 256, by order or

1 resolution of the commissioners court:

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

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

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

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

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

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

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

1 Code:

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

11 (1) collects a tax increment; and

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

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

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

24 (7) Senate Rule 12.03(4) is suspended to permit the  
25 committee to add text on a matter which is not included in either  
26 the house or senate version of the bill by adding the following text  
27 as SECTION 7 of the bill:

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

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