

By: Burns

H.B. No. 1394

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the composition, governance, and authority of a
3 regional tollway authority that has or proposes to have projects
4 located in counties that are not part of the authority.

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

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

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

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

15 (2) the population of the county is at least four
16 percent of the aggregate population of all the counties of the
17 authority, not including the county that will become part of the
18 authority.

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

21 Sec. 366.0311. ADVISORY COMMITTEE FOR PROJECTS LOCATED
22 OUTSIDE AUTHORITY. (a) At the time an authority enters into a
23 primary construction contract for its first project to be located
24 in a county that is not part of the authority, the authority shall

1 create an advisory committee to advise the board on matters related
2 to projects located in counties that are not part of the authority.

3 (b) The advisory committee must be composed of:

4 (1) the director of the authority appointed by the
5 governor, who serves as the chair of the committee;

6 (2) an additional director of the authority appointed
7 by the presiding officer of the board as the presiding officer deems
8 appropriate; and

9 (3) one member from each county that is not part of the
10 authority and in which a project is proposed to be located, to be
11 appointed by the commissioners court of that county at the time a
12 primary construction contract for the project is entered into.

13 (c) An advisory committee member appointed under Subsection
14 (b)(3) is not a director of the authority for the purposes of
15 Section 366.251 or any other purpose.

16 (d) The board may adopt rules governing the operation and
17 duties of an advisory committee.

18 SECTION 3. Section 366.161, Transportation Code, is amended
19 to read as follows:

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

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

24 (2) subject to Sections 366.031(e) and 366.0311, a
25 county in which the authority operates or is constructing a
26 turnpike project if the turnpike project in the affected county is a
27 continuation of the authority's turnpike project or system

1 extending from an adjacent county.

2 SECTION 4. Section 366.251(c), Transportation Code, is
3 amended to read as follows:

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

8 ~~[(1) a county that created the authority under Section~~
9 ~~366.031; or~~

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

14 SECTION 5. This Act takes effect September 1, 2015.