



17 MAY 12 AM 10: 23
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Pickett

1 Amend C.S.S.B. No. 312 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 222.103(a), Transportation Code,
5 is amended to read as follows:

6 (a) The department may participate, by spending money from
7 any available source, in the cost of the acquisition, construction,
8 maintenance, or operation of a toll facility of a public or private
9 entity on terms and conditions established by the commission. The
10 commission[+]

11 ~~[(1) may require the repayment of any money spent by~~
12 ~~the department for the cost of a toll facility of a public entity,~~
13 ~~and~~

14 ~~[(2)] shall require the repayment of any money spent~~
15 ~~[by the department for the cost of a toll facility of a private~~
16 ~~entity].~~

17 (b) Section 366.301(c), Transportation Code, is amended to
18 read as follows:

19 (c) An obligation or expense incurred by the commission or
20 department under this section is a part of the cost of the turnpike
21 project for which the obligation or expense was incurred. The
22 commission or department shall ~~may~~ require money contributed by
23 the commission or department under this section to be repaid. The
24 commission or department may require the money to be repaid from
25 tolls or other revenue of the turnpike project or system on which
26 the money was spent. Money repaid as required by the commission or
27 department shall be deposited to the credit of the fund from which
28 the contribution was made. Money deposited as required by this
29 section is exempt from the application of Section 403.095,

1 Government Code.

2 (c) Section 370.033(m), Transportation Code, is amended to
3 read as follows:

4 (m) If an authority receives money from the general revenue
5 fund, the Texas Mobility Fund, or the state highway fund, it:

6 (1) may use the money only to acquire, design,
7 finance, construct, operate, or maintain a turnpike project under
8 Section 370.003(14)(A) or (D) or a transit system under Section
9 370.351; and

10 (2) must repay the money.

11 (d) Sections 370.301(c) and (f), Transportation Code, are
12 amended to read as follows:

13 (c) An obligation or expense incurred by the commission or
14 department under this section is a part of the cost of the turnpike
15 project for which the obligation or expense was incurred. The
16 commission or department shall [~~may~~] require money contributed by
17 the commission or department under this section to be repaid. The
18 commission or department may require the money to be repaid from
19 tolls or other revenue of the turnpike project on which the money
20 was spent. Money repaid as required by the commission or department
21 shall be deposited to the credit of the fund from which the
22 contribution was made. Money deposited as required by this section
23 is exempt from the application of Section 403.095, Government Code.

24 (f) The commission may [~~grant or~~] loan department money to
25 an authority for the acquisition of land for or the construction,
26 maintenance, or operation of a turnpike project. The commission
27 shall [~~may~~] require the authority to repay money loaned [~~provided~~]
28 under this section. The commission may require the money to be
29 repaid from toll revenue or other sources on terms established by
30 the commission.

31 (e) Subchapter A, Chapter 372, Transportation Code, is

1 amended by adding Section 372.002 to read as follows:

2 Sec. 372.002. REPAYMENT OF MONEY CONTRIBUTED BY DEPARTMENT.

3 A toll project entity shall repay to the department any money
4 contributed by the department as participation in the cost of the
5 entity's toll projects, including money from the state highway
6 fund, the Texas Mobility Fund, or other sources available to the
7 department.

8 (f) The changes in law made by this section apply only to a
9 loan, grant, or other contribution made by the Texas Department of
10 Transportation or the Texas Transportation Commission on or after
11 the effective date of this Act. A loan, grant, or other
12 contribution made before the effective date of this Act is governed
13 by the law in effect on the date the loan, grant, or other
14 contribution is made, and the former law is continued in effect for
15 that purpose.

