

**BILL ANALYSIS**

C.S.H.B. 3252  
By: Thompson, Senfronia  
Transportation  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Informed observers report that traditional transportation revenue sources are in decline and explain that certain transportation authorities are seeking new sources of revenue to make projects more feasible and cost effective. These observers note that financial incentives under certain federal and state laws have established public-private partnerships as a tool for leveraging funding and achieving savings. C.S.H.B. 3252 seeks to address this issue by providing for the applicability of provisions relating to public and private facilities and infrastructure to certain metropolitan rapid transit authorities and for certain contracting requirements.

**CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

C.S.H.B. 3252 amends the Government Code to exclude a metropolitan rapid transit authority in which the principal municipality has a population of 1.9 million or more from the exemption from statutory provisions relating to public and private facilities and infrastructure.

C.S.H.B. 3252 amends the Transportation Code to require such a metropolitan rapid transit authority, in procuring architectural, engineering, or design services, to incorporate the selection process defined for those services as provided by the Professional Services Procurement Act.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3252 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subchapter A, Chapter 2267,	SECTION 1. Section 2267.003,

Government Code, is amended by amending Section 2267.003 to read as follows:

Sec. 2267.003. APPLICABILITY. This chapter does not apply to:

(1) the financing, design, construction, maintenance, or operation of a highway in the state highway system;

(2) a transportation authority created under Chapter 451, 452, 453, or 460, Transportation Code;

(3) any telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the project; or

(4) except as provided by Section 2165.259, a qualifying project located in the Capitol Complex, as defined by Section 443.0071.

(5) Subsection (2) does not apply to a transportation authority created under Chapter 451, Texas Transportation Code having a principal municipality with a population of more than 1.9 million.

Such transportation authority, shall incorporate the selection process defined for all architectural, engineering, and design related projects as provided by Section 2254.004, Government Code.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Government Code, is amended to read as follows:

Sec. 2267.003. APPLICABILITY. This chapter does not apply to:

(1) the financing, design, construction, maintenance, or operation of a highway in the state highway system;

(2) a transportation authority operating ~~created~~ under Chapter 451, 452, 453, or 460, Transportation Code, other than a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, in which the principal municipality has a population of 1.9 million or more;

(3) any telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the project; or

(4) except as provided by Section 2165.259, a qualifying project located in the Capitol Complex, as defined by Section 443.0071.

SECTION 2. Subchapter C, Chapter 451, Transportation Code, is amended by adding Section 451.114 to read as follows:

Sec. 451.114. CONTRACT FOR PROFESSIONAL SERVICES: CERTAIN AUTHORITIES. In procuring architectural, engineering, or design services, an authority in which the principal municipality has a population of 1.9 million or more shall incorporate the selection process for those services as provided by Section 2254.004, Government Code.

SECTION 3. Same as introduced version.