

## **BILL ANALYSIS**

S.B. 28  
By: Creighton  
Texas Ports, Innovation & Infrastructure, Select  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that Texas ports and manufacturing face an unprecedented competitive threat as ports in neighboring states race to improve their depth and infrastructure to meet new opportunities. S.B. 28 seeks to address this issue by creating a ship channel improvement revolving fund to finance qualified projects for navigation districts.

### **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 rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 4 of this bill.

### **ANALYSIS**

S.B. 28 amends the Transportation Code to establish the ship channel improvement revolving fund as an account in the general revenue fund administered by the Texas Transportation Commission. The bill sets out the sources of money required to be credited to the fund, restricts appropriation of money in the fund to the commission for purposes of administering the fund and the revolving loan program established under the bill's provisions, and subjects the financial transactions of the fund to audit by the state auditor. The bill requires the commission by rule to establish a revolving loan program to use money from the fund to finance qualified projects for navigation districts. The bill requires a project, for purposes of qualifying, to deepen or widen a ship channel, to be authorized by the United States Congress, and to meet any other standards provided by commission rule. A project for maintenance dredging is not a qualified project under the loan program.

S.B. 28 replaces the authorization for the commission to use money from the Texas mobility fund to provide funding, including through a loan, for a port security project, a port transportation project, or certain projects eligible for port development funding with the authorization for the commission to use money from the fund to provide funding for the construction or improvement of public roadways that will enhance connectivity to ports. The bill increases the number of members serving on the port authority advisory committee from seven to nine by adding one member appointed by the lieutenant governor and one member appointed by the speaker of the house of representatives.

### **EFFECTIVE DATE**

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