

By: Phelan

H.B. No. 3941

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a revolving loan program to finance ship channel improvements.

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

SECTION 1. Subtitle A, Title 4, Transportation Code, is amended by adding Chapter 56 to read as follows:

CHAPTER 56. FUNDING OF SHIP CHANNEL IMPROVEMENTS

Sec. 56.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Transportation Commission.

(2) "Department" means the Texas Department of Transportation.

(3) "Fund" means the ship channel improvement revolving fund.

(4) "Navigation district" means a navigation district created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, and operating under Chapter 60, 61, 62, or 63, Water Code.

Sec. 56.002. SHIP CHANNEL IMPROVEMENT REVOLVING FUND. (a) The ship channel improvement revolving fund is an account in the general revenue fund. The fund is administered by the department.

(b) The following money shall be credited to the fund:

(1) money the department receives as a gift, grant, or donation for a purpose of this chapter;

1 (2) money appropriated to the department for the
2 purposes of this chapter;

3 (3) money received by the department for the repayment
4 of a loan made by the program established under Section 56.003; and

5 (4) interest earned on deposits and investments of the
6 fund.

7 (c) Money in the fund may be appropriated only to the
8 department for the purposes of administering the fund and the
9 program established under Section 56.003.

10 (d) The financial transactions of the fund are subject to
11 audit by the state auditor.

12 Sec. 56.003. REVOLVING LOAN PROGRAM. (a) The commission by
13 rule shall establish a revolving loan program to use money from the
14 fund to finance qualified projects for navigation districts.

15 (b) To be a qualified project, a project must:

16 (1) deepen or widen a ship channel;

17 (2) demonstrate federal matching funds in an amount
18 not less than 30 percent of the cost of the project;

19 (3) be authorized by the United States Army Corps of
20 Engineers under the Water Resources Reform and Development Act of
21 2014 (Pub. L. No. 113-121); and

22 (4) meet any other standards provided by commission
23 rule.

24 (c) A project for maintenance dredging is not a qualified
25 project under this section.

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2017.