

By: Cospers

H.B. No. 4163

Substitute the following for H.B. No. 4163:

By: Morrison

C.S.H.B. No. 4163

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the allocation of money associated with delays of
3 transportation projects.

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

5 SECTION 1. Subchapter A, Chapter 222, Transportation Code,
6 is amended by adding Section 222.007 to read as follows:

7 Sec. 222.007. ALLOCATION OF MONEY FROM TRANSPORTATION
8 PROJECT DELAYS. (a) The department shall establish a system to
9 track:

10 (1) fees for delays in transportation projects
11 collected by the department from contractors hired by the
12 department; and

13 (2) liquidated damages retained by the department
14 associated with delayed transportation project contracts.

15 (b) The system must allow the department to correlate the
16 fees and liquidated damages with:

17 (1) the project that was the subject of the fees or
18 damages; and

19 (2) each department district in which the project that
20 was the subject of the fees or damages is located.

21 (c) Each year, the department shall:

22 (1) for each department district, determine the amount
23 of money described by Subsection (a) collected or retained in the
24 previous year that is attributable to projects located in the

1 district; and

2 (2) in addition to other amounts, allocate to each
3 department district an amount of money equal to the amount
4 determined for the district under Subdivision (1) to be used for
5 transportation projects located in that district.

6 (d) If a transportation project that was the subject of fees
7 or liquidated damages is located in more than one department
8 district, the department may reasonably allocate the penalty
9 revenue from that project between the districts in which the
10 project is located.

11 SECTION 2. This Act takes effect September 1, 2017.