

By: Creighton, et al.  
(Deshotel)

S.B. No. 28

A BILL TO BE ENTITLED

AN ACT

relating to the financing of ports in the state.

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

SECTION 1. Section 55.001, Transportation Code, is amended by adding Subdivision (4-a) to read as follows:

(4-a) "Port access improvement project" means the construction or improvement of public roadways that will enhance connectivity to ports.

SECTION 2. Section 55.002(e), Transportation Code, is amended to read as follows:

(e) The commission may use money from the Texas Mobility Fund to provide funding for a port access improvement project~~including through a loan, for a port security project, a port transportation project, or a project eligible for funding under Subsection (c)].~~

SECTION 3. Section 55.006(a), Transportation Code, is amended to read as follows:

(a) The committee consists of nine ~~seven~~ members appointed ~~[by the commission. The members shall be appointed]~~ as follows:

(1) one member from the Port of Houston Authority appointed by the commission;

(2) three members who represent maritime ports on the upper Texas coast appointed by the commission; ~~[and]~~

1 (3) three members who represent maritime ports on the  
2 lower Texas coast appointed by the commission;

3 (4) one member appointed by the lieutenant governor;  
4 and

5 (5) one member appointed by the speaker of the house of  
6 representatives.

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

9 CHAPTER 56. FUNDING OF SHIP CHANNEL IMPROVEMENTS

10 Sec. 56.001. DEFINITIONS. In this chapter:

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

13 (2) "Fund" means the ship channel improvement  
14 revolving fund.

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

19 Sec. 56.002. SHIP CHANNEL IMPROVEMENT REVOLVING FUND.

20 (a) The ship channel improvement revolving fund is an account in  
21 the general revenue fund. The fund is administered by the  
22 commission.

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

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

26 (2) money appropriated to the commission for the  
27 purposes of this chapter;

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

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

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

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

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

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

14                   (1) deepen or widen a ship channel;

15                   (2) be authorized by the United States Congress; and

16                   (3) meet any other standards provided by commission  
17 rule.

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

20          SECTION 5. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2017.