

1-1 By: Creighton, Hinojosa, Kolkhorst S.B. No. 28
 1-2 (In the Senate - Filed March 3, 2017; March 6, 2017, read
 1-3 first time and referred to Committee on Transportation;
 1-4 March 27, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 27, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 28 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the financing of ports in the state.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 55.001, Transportation Code, is amended
 1-24 by adding Subdivision (4-a) to read as follows:
 1-25 (4-a) "Port access improvement project" means the
 1-26 construction or improvement of public roadways that will enhance
 1-27 connectivity to ports.
 1-28 SECTION 2. Section 55.002(e), Transportation Code, is
 1-29 amended to read as follows:
 1-30 (e) The commission may use money from the Texas Mobility
 1-31 Fund to provide funding for a port access improvement project ~~[~~
 1-32 ~~including through a loan, for a port security project, a port~~
 1-33 ~~transportation project, or a project eligible for funding under~~
 1-34 ~~Subsection (c)].~~
 1-35 SECTION 3. Section 55.006(a), Transportation Code, is
 1-36 amended to read as follows:
 1-37 (a) The committee consists of nine ~~seven~~ members
 1-38 appointed by the commission. The members shall be appointed as
 1-39 follows:
 1-40 (1) one member from the Port of Houston Authority;
 1-41 (2) three members who represent maritime ports on the
 1-42 upper Texas coast; ~~and~~
 1-43 (3) three members who represent maritime ports on the
 1-44 lower Texas coast;
 1-45 (4) one member appointed by the lieutenant governor;
 1-46 and
 1-47 (5) one member appointed by the speaker of the house of
 1-48 representatives.
 1-49 SECTION 4. Subtitle A, Title 4, Transportation Code, is
 1-50 amended by adding Chapter 56 to read as follows:
 1-51 CHAPTER 56. FUNDING OF SHIP CHANNEL IMPROVEMENTS
 1-52 Sec. 56.001. DEFINITIONS. In this chapter:
 1-53 (1) "Commission" means the Texas Transportation
 1-54 Commission.
 1-55 (2) "Fund" means the ship channel improvement
 1-56 revolving fund.
 1-57 (3) "Navigation district" means a navigation district
 1-58 created under Section 52, Article III, or Section 59, Article XVI,
 1-59 Texas Constitution, and operating under Chapter 60, 61, 62, or 63,
 1-60 Water Code.

2-1 Sec. 56.002. SHIP CHANNEL IMPROVEMENT REVOLVING FUND.
2-2 (a) The ship channel improvement revolving fund is an account in
2-3 the general revenue fund. The fund is administered by the
2-4 commission.

2-5 (b) The following money shall be credited to the fund:
2-6 (1) money the commission receives as a gift, grant, or
2-7 donation for a purpose of this chapter;
2-8 (2) money appropriated to the commission for the
2-9 purposes of this chapter;
2-10 (3) money received by the commission for the repayment
2-11 of a loan made by the program established under Section 56.003; and
2-12 (4) interest earned on deposits and investments of the
2-13 fund.

2-14 (c) Money in the fund may be appropriated only to the
2-15 commission for the purposes of administering the fund and the
2-16 program established under Section 56.003.

2-17 (d) The financial transactions of the fund are subject to
2-18 audit by the state auditor.

2-19 Sec. 56.003. REVOLVING LOAN PROGRAM. (a) The commission
2-20 by rule shall establish a revolving loan program to use money from
2-21 the fund to finance qualified projects for navigation districts.

2-22 (b) To be a qualified project, a project must:
2-23 (1) deepen or widen a ship channel;
2-24 (2) be authorized under a Water Resources Reform and
2-25 Development Act; and
2-26 (3) meet any other standards provided by commission
2-27 rule.

2-28 (c) A project for maintenance dredging is not a qualified
2-29 project under this section.

2-30 SECTION 5. This Act takes effect immediately if it receives
2-31 a vote of two-thirds of all the members elected to each house, as
2-32 provided by Section 39, Article III, Texas Constitution. If this
2-33 Act does not receive the vote necessary for immediate effect, this
2-34 Act takes effect September 1, 2017.

2-35 * * * * *