

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 25, 2017**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB812** by Kolkhorst (Relating to repayment of money contributed by the Texas Department of Transportation or the Texas Transportation Commission for toll projects.),  
**As Introduced**

**The bill would result in an indeterminate positive impact to the State depending on the amount of funds contributed by the Department of Transportation for participation in the costs of local or private toll projects and the terms and conditions for the repayment of those funds.**

The bill would amend the Transportation Code to require the Texas Transportation Commission (TTC) to require the repayment of any money spent by the Texas Department of Transportation (TxDOT) for participation in the costs of a toll facility of a public or private entity. The bill would require a local toll project entity (including a regional tollway authority, a regional mobility authority, and a county toll road authority) to repay TxDOT any money contributed by TxDOT as participation in the cost of the entity's toll projects. The changes in law made by the bill would apply only to a loan, grant, or other contribution made by TxDOT or TTC on or after the effective date of the bill. The bill would take effect on September 1, 2017.

The TTC is currently authorized, but not required, to require the repayment of money contributed by TxDOT for participation in the costs of a public or private toll project. If required by TTC, money repaid to TxDOT is required to be deposited to the fund from which the expenditure was made. Based on the information provided by TxDOT, it is assumed requiring the repayment of money contributed by TxDOT to a toll project entity would result in a positive impact to transportation funding. Because the amount of money that may be contributed by TxDOT on or after the effective date of the bill and the terms and conditions established by the TTC for repayment of that money is not known, the revenue gain to the State from any amounts required to be repaid to TxDOT cannot be estimated.

**Local Government Impact**

According to information provided by the Alamo Regional Mobility Authority, Cameron County Regional Mobility Authority, Camino Real Regional Mobility Authority, Central Texas Regional Mobility Authority, Grayson County Regional Mobility Authority, North East Texas Regional Mobility Authority, and Webb County-City of Laredo Regional Mobility Authority, the bill would have a negative fiscal impact to local toll project entities due to the prohibition of grants from state funds. Without additional grant aid, local toll project entities would likely see a decrease in revenue, which could result in increased overall project costs.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, EH, TG, JGA