

## **BILL ANALYSIS**

C.S.H.B. 1644  
By: Martinez  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that comprehensive development agreements entered into by regional mobility authorities or the Texas Department of Transportation with private entities can be an effective means of developing the state's transportation infrastructure. C.S.H.B. 1644 seeks to make use of this development framework by authorizing such agreements for certain specified projects, including certain projects for which previously granted statutory authority has expired.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1644 amends the Transportation Code to limit the comprehensive development agreements into which the Texas Department of Transportation (TxDOT) may enter to certain specified state highway projects. The bill authorizes a regional mobility authority to enter into such agreements for certain specified projects. The bill sets provisions relating to those authorized projects to expire August 31, 2029.

C.S.H.B. 1644 replaces the cap on the amount of money TxDOT may disburse from the state highway fund and the Texas mobility fund during a federal fiscal year to pay the costs under comprehensive development agreements with a prohibition against TxDOT disbursing money from those funds to pay all or part of the actual cost of construction for a project developed under a comprehensive development agreement. This prohibition does not preclude the expenditure of funds by TxDOT, or the disbursement of funds by TxDOT to another governmental entity, for activities related to a project ultimately developed under a comprehensive development agreement. The bill authorizes the extension of a comprehensive development agreement entered into on or before March 22, 2007, for State Highway 130 from U.S. Highway 183 to Interstate Highway 10 (Segments 5 and 6), subject to certain conditions.

C.S.H.B. 1644 repeals provisions relating to the expiration of TxDOT authority to enter into a

comprehensive development agreement for certain projects, the requirement that TxDOT obtain certain environmental clearance and present applicable financial information before entering into such an agreement, and the requirement that TxDOT provide a report to the Texas Transportation Commission on the status of certain projects.

C.S.H.B. 1644 repeals the following provisions of the Transportation Code:

- Sections 223.201(g), (i), (j), (k), (l), and (m)
- Section 223.2011

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1644 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the specified projects for which TxDOT or a regional mobility authority may enter into a comprehensive development agreement.

The substitute does not include authorizations for TxDOT or a regional mobility authority to enter into comprehensive development agreements as provided by statutory provisions relating to design-build contracts.

The substitute includes provisions revising the limitations on the disbursement of funds by TxDOT to pay costs under a comprehensive development agreement.

The substitute includes an authorization for TxDOT to extend a specified comprehensive development agreement under certain conditions.