By:  Watson S.B. No. 1074

A BILL TO BE ENTITLED

AN ACT

relating to the authority to enter into a comprehensive development agreement for a project on Interstate Highway 35 in Travis County.

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

SECTION 1.  Section 223.201(b), Transportation Code, is transferred to Subchapter E, Chapter 223, Transportation Code, redesignated as Section 223.2001, Transportation Code, and amended to read as follows:

Sec. 223.2001.  DEFINITION.  [~~(b)~~] In this subchapter, "comprehensive development agreement" means an agreement that, at a minimum, provides for the design and construction, reconstruction, rehabilitation, expansion, or improvement of a project described in Section 223.201(a) [~~Subsection (a)~~] and may also provide for the financing, acquisition, maintenance, or operation of a project described in that section [~~Subsection (a)~~].

SECTION 2.  Subchapter E, Chapter 223, Transportation Code, is amended by adding Section 223.2002 to read as follows:

Sec. 223.2002.  LIMITATION. The department may enter into a comprehensive development agreement only:

(1)  for specific projects authorized under this subchapter; or

(2)  as provided by Subchapter F.

SECTION 3.  Sections 223.201(f), (g), and (j), Transportation Code, are amended to read as follows:

(f)  The department may enter into a comprehensive development agreement [~~only~~] for all or part of[~~:~~

[~~(1)~~]  the State Highway 99 (Grand Parkway) project[~~;~~

[~~(2)  the Interstate Highway 35E managed lanes project in Dallas and Denton Counties from Interstate Highway 635 to U.S. Highway 380;~~

[~~(3)  the Interstate Highway 35W project in Tarrant County from Interstate Highway 30 to State Highway 114;~~

[~~(4)  the State Highway 183 managed lanes project in Tarrant and Dallas Counties from State Highway 121 to Interstate Highway 35E;~~

[~~(5)  the Interstate Highway 35E/U.S. Highway 67 Southern Gateway project in Dallas County, including:~~

[~~(A)  Interstate Highway 35E from 8th Street to Interstate Highway 20; and~~

[~~(B)  U.S. Highway 67 from Interstate Highway 35E to Farm-to-Market Road 1382 (Belt Line Road);~~

[~~(6)  the State Highway 288 project from U.S. Highway 59 to south of State Highway 6 in Brazoria County and Harris County;~~

[~~(7)  the U.S. Highway 290 managed lanes project in Harris County from Interstate Highway 610 to State Highway 99;~~

[~~(8)  the Interstate Highway 820 project from State Highway 183 to Randol Mill Road;~~

[~~(9)  the State Highway 114 project in Dallas County from State Highway 121 to State Highway 183;~~

[~~(10)  the Loop 12 project in Dallas County from State Highway 183 to Interstate Highway 35E;~~

[~~(11)  the Loop 9 project in Dallas and Ellis Counties from Interstate Highway 20 to U.S. Highway 67; and~~

[~~(12)  the U.S. Highway 181 Harbor Bridge project in Nueces County between U.S. Highway 181 at Beach Avenue and Interstate Highway 37~~].

(g)  The department may combine in a comprehensive development agreement under this subchapter:

(1)  a toll project and a rail facility as defined by Section 91.001; or

(2)  two or more projects for which the department is authorized under this subchapter to enter into a comprehensive development agreement [~~described by Subsection (f)~~].

(j)  Before the department may enter into a comprehensive development agreement under this subchapter [~~Subsection (f)~~], the department must:

(1)  for a project other than the State Highway 99 (Grand Parkway) project, obtain[~~, not later than August 31, 2017,~~] the appropriate environmental clearance:

(A)  for the project; or

(B)  for the initial or base scope of the project if the project agreement provides for the phased construction of the project; and

(2)  present to the commission a full financial plan for the project, including costing methodology and cost proposals.

SECTION 4.  Section 223.2012(a), Transportation Code, is amended to read as follows:

(a)  In this section, the North Tarrant Express project is the project on Interstate Highway 35W in Tarrant County from Interstate Highway 30 to State Highway 114 that was [~~described by Section 223.201(f)(3)~~] entered into on June 23, 2009.

SECTION 5.  Subchapter E, Chapter 223, Transportation Code, is amended by adding Section 223.2014 to read as follows:

Sec. 223.2014.  AUTHORIZED PROJECT. (a) The department may enter into a comprehensive development agreement for a project on Interstate Highway 35 in Travis County.

(b)  Any managed lane included in a project described by Subsection (a) must provide free use of the lane to a public transit motor bus of a mass transit entity operating under Subtitle K.

(c)  This section expires August 31, 2021.

SECTION 6.  The following provisions of the Transportation Code are repealed:

(1)  Sections 223.201(i), (k), and (m); and

(2)  Section 223.2011.

SECTION 7.  Section 370.305(c), Transportation Code, is amended to read as follows:

(c)  An authority may enter into a comprehensive development agreement only:

(1)  for specific projects authorized under this subchapter; or

(2)  as provided by Subchapter K [~~Except as provided by this chapter, an authority's authority to enter into a comprehensive development agreement expires on August 31, 2011~~].

SECTION 8.  Subchapter G, Chapter 370, Transportation Code, is amended by adding Section 370.3051 to read as follows:

Sec. 370.3051.  AUTHORIZED PROJECTS FOR COMPREHENSIVE DEVELOPMENT AGREEMENTS. (a) A regional mobility authority may enter into a comprehensive development agreement for a project on Interstate Highway 35 in Travis County.

(b)  Any managed lane included in a project described by Subsection (a) must provide free use of the lane to a public transit motor bus of a mass transit entity operating under Subtitle K.

(c)  This section expires August 31, 2021.

SECTION 9.  This Act takes effect September 1, 2019.