S.B. No. 2248

AN ACT

relating to the development and operation of an aerial cable car or aerial tramway by a regional mobility authority created by a municipality.

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

SECTION 1.  Sections 370.003(8) and (14), Transportation Code, are amended to read as follows:

(8)  "Governmental entity" means a political subdivision of the state, including a municipality or a county, a political subdivision of a county, a group of adjoining counties, a district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, the department or another state agency, a rail district, a transit authority, a nonprofit corporation, including a transportation corporation, that is created under Chapter 431, or any other public entity or instrumentality.

(14)  "Transportation project" means:

(A)  a turnpike project;

(B)  a system;

(C)  a passenger or freight rail facility, including:

(i)  tracks;

(ii)  a rail line;

(iii)  switching, signaling, or other operating equipment;

(iv)  a depot;

(v)  a locomotive;

(vi)  rolling stock;

(vii)  a maintenance facility; and

(viii)  other real and personal property associated with a rail operation;

(D)  a roadway with a functional classification greater than a local road or rural minor collector;

(D-1)  a bridge;

(E)  a ferry;

(F)  an airport, other than an airport that on September 1, 2005, was served by one or more air carriers engaged in scheduled interstate transportation, as those terms were defined by 14 C.F.R. Section 1.1 on that date;

(G)  a pedestrian or bicycle facility;

(H)  an intermodal hub;

(I)  an automated conveyor belt for the movement of freight;

(J)  a border crossing inspection station, including:

(i)  a border crossing inspection station located at or near an international border crossing; and

(ii)  a border crossing inspection station located at or near a border crossing from another state of the United States and not more than 50 miles from an international border;

(K)  an air quality improvement initiative;

(L)  a public utility facility;

(M)  a transit system;

(M-1)  a parking area, structure, or facility, or a collection device for parking fees;

(N)  if applicable, projects and programs listed in the most recently approved state implementation plan for the area covered by the authority, including an early action compact;

(O)  improvements in a transportation reinvestment zone designated under Subchapter E, Chapter 222; [~~and~~]

(P)  port security, transportation, or facility projects eligible for funding under Section 55.002; and

(Q)  an aerial cable car or aerial tramway for the transportation of persons or property, or both, that is located in the jurisdiction of an authority created under Section 370.031(c).

SECTION 2.  The heading to Section 370.303, Transportation Code, is amended to read as follows:

Sec. 370.303.  AGREEMENTS BETWEEN AUTHORITY AND [~~LOCAL~~] GOVERNMENTAL ENTITIES.

SECTION 3.  Section 370.303(b-1), Transportation Code, is amended to read as follows:

(b-1)  An agreement under Subsection (a) or (b) may include a means for a [~~local~~] governmental entity to pledge or otherwise provide funds for a transportation project that benefits the governmental entity to be developed by the authority.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_President of the Senate             Speaker of the House

I hereby certify that S.B. No. 2248 passed the Senate on May 15, 2019, by the following vote:  Yeas 29, Nays 2.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 2248 passed the House on May 22, 2019, by the following vote:  Yeas 120, Nays 24, two present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor