

AN ACT

relating to the grant program distributing money from the transportation infrastructure fund.

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

SECTION 1. Sections 256.103(a) and (b), Transportation Code, are amended to read as follows:

(a) The department shall develop policies and procedures to administer a grant program under this subchapter to make grants to counties only for transportation infrastructure projects located in areas of the state affected by increased oil and gas production. The department may adopt rules to implement this subchapter.

(b) Grants distributed during a fiscal year must be allocated among counties as follows:

(1) 10 ~~[20]~~ percent according to weight tolerance permits, determined by the ratio of weight tolerance permits issued in the preceding fiscal year for the county to the total number of weight tolerance permits issued in the state in that fiscal year, as determined by the Texas Department of Motor Vehicles;

(2) 20 percent according to oil and gas production taxes, determined by the ratio of oil and gas production taxes collected by the comptroller in the preceding fiscal year in the county to the total amount of oil and gas production taxes collected in the state in that fiscal year, as determined by the comptroller;

(3) 45 ~~[50]~~ percent according to horizontal well completions, determined by the ratio of horizontal well completions in the preceding fiscal year in the county to the total number of horizontal well completions in the state in that fiscal year, as determined by the Railroad Commission of Texas; ~~and~~

(4) 10 percent according to the volume of oil and gas waste injected, determined by the ratio of the volume of oil and gas waste injected in the preceding fiscal year in the county to the total volume of oil and gas waste injected in the state in that fiscal year, as determined by the Railroad Commission of Texas; and

(5) 15 percent according to vertical well completions, determined by the ratio of vertical well completions in the preceding fiscal year in the county to the total number of vertical well completions in the state in that fiscal year, as determined by the Railroad Commission of Texas.

SECTION 2. Subchapter C, Chapter 256, Transportation Code, is amended by adding Sections 256.107 and 256.108 to read as follows:

Sec. 256.107. COMPETITIVE BIDDING REQUIRED FOR CONTRACTS FUNDED BY GRANTS. (a) Except as otherwise provided by law, a county that enters into a contract for a transportation infrastructure project that involves construction or maintenance of roads and is funded by a grant under this subchapter shall:

(1) advertise for bids for the contract in a manner prescribed by law;

(2) receive competitive bids for the contract, publicly open the bids, and read aloud the names of the bidders and

1 their bids; and

2 (3) award the contract to the lowest responsible
3 bidder.

4 (b) In advertising for bids under Subsection (a), a county
5 shall prepare a request for competitive bids that includes
6 construction documents, estimated budget, project scope, estimated
7 project completion date, and other information that a bidder may
8 require to submit a bid.

9 (c) Not later than the seventh day after the date a contract
10 described by Subsection (a) is awarded, the county that awarded the
11 contract shall document the basis of its selection and shall make
12 the evaluations public.

13 Sec. 256.108. PERIOD FOR SPENDING GRANT. A grant awarded
14 under this subchapter must be spent not later than the fifth
15 anniversary of the date of the award.

16 SECTION 3. Section 256.107, Transportation Code, as added
17 by this Act, applies only to a contract entered into on or after the
18 effective date of this Act. A contract entered into before the
19 effective date of this Act is governed by the law in effect on the
20 date the contract was entered into, and the former law is continued
21 in effect for that purpose.

22 SECTION 4. This Act takes effect September 1, 2019.

H.B. No. 4280

President of the Senate

Speaker of the House

I certify that H.B. No. 4280 was passed by the House on May 8, 2019, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4280 on May 23, 2019, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4280 was passed by the Senate, with amendments, on May 20, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor