

By: Buckingham, Hall  
Nichols

S.B. No. 282

A BILL TO BE ENTITLED

AN ACT

relating to the allocation of money associated with delays of transportation projects.

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

SECTION 1. Subchapter A, Chapter 222, Transportation Code, is amended by adding Section 222.007 to read as follows:

Sec. 222.007. ALLOCATION OF MONEY FROM TRANSPORTATION PROJECT DELAYS. (a) The department shall establish a system to track liquidated damages, including road user costs, retained by the department associated with delayed transportation project contracts.

(b) The system must allow the department to correlate the liquidated damages with:

(1) the project that was the subject of the damages;  
and

(2) each department district in which the project that was the subject of the damages is located.

(c) Each year, the department shall:

(1) for each department district, determine the amount of money described by Subsection (a) retained in the previous year that is attributable to projects located in the district; and

(2) in addition to other amounts, allocate to each department district an amount of money equal to the amount determined for the district under Subdivision (1) to be used for

1 transportation projects located in that district.

2 (d) If a transportation project that was the subject of  
3 liquidated damages is located in more than one department district,  
4 the department may reasonably allocate the amount of the liquidated  
5 damages from that project among the districts in which the project  
6 is located.

7 SECTION 2. This Act takes effect September 1, 2019.