

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:

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

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

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

7 [~~(3)~~] ~~the Interstate Highway 35W project in Tarrant~~
8 ~~County from Interstate Highway 30 to State Highway 114,~~

9 [~~(4)~~] ~~the State Highway 183 managed lanes project in~~
10 ~~Tarrant and Dallas Counties from State Highway 121 to Interstate~~
11 ~~Highway 35E,~~

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

14 [~~(A)~~] ~~Interstate Highway 35E from 8th Street to~~
15 ~~Interstate Highway 20, and~~

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

18 [~~(6)~~] ~~the State Highway 288 project from U.S. Highway~~
19 ~~59 to south of State Highway 6 in Brazoria County and Harris County,~~

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

22 [~~(8)~~] ~~the Interstate Highway 820 project from State~~
23 ~~Highway 183 to Randol Mill Road,~~

24 [~~(9)~~] ~~the State Highway 114 project in Dallas County~~
25 ~~from State Highway 121 to State Highway 183,~~

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

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

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

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

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

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

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

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

19 (A) for the project; or

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

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

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

27 (a) In this section, the North Tarrant Express project is

1 the project on Interstate Highway 35W in Tarrant County from
2 Interstate Highway 30 to State Highway 114 that was [~~described by~~
3 ~~Section 223.201(f)(3)~~] entered into on June 23, 2009.

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

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

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

12 (c) This section expires August 31, 2021.

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

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

16 (2) Section 223.2011.

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

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

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

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

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

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

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

8 (c) This section expires August 31, 2021.

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