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By:  Martinez H.B. No. 3159

A BILL TO BE ENTITLED

AN ACT

relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements.

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 Section 223.201(a) [~~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), (i), and (j), Transportation Code, are amended to read as follows:

(f)  The department may enter into a comprehensive development agreement under this subchapter 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;

(13)  the Interstate Highway 35 project in Travis and Williamson Counties from State Highway 45 North to State Highway 45 Southeast;

(14)  the Interstate Highway 45 North project in Harris County from Beltway 8 to Interstate Highway 10;

(15)  the Hempstead Managed Tollway project in Harris County from State Highway 99 to the Interstate Highway 610/Interstate Highway 10 interchange;

(16)  the Interstate Highway 30 project in Tarrant County from Interstate Highway 35W to east of Fielder Road;

(17)  the Interstate Highway 635 East project in Dallas County from U.S. Highway 75 to Interstate Highway 30;

(18)  the Interstate Highway 35E project in Dallas and Denton Counties from Interstate Highway 635 to U.S. Highway 380; and

(19)  a project listed under Section 370.3051.

(i)  The department's authority to enter into a comprehensive development agreement expires:

(1)  August 31, 2017, for a project described in Subdivisions (1)-(12) of [~~by~~] Subsection (f), other than the State Highway 99 (Grand Parkway) project and the State Highway 183 managed lanes project; [~~and~~]

(2)  August 31, 2015, for the State Highway 183 managed lanes project; and

(3)  August 31, 2031, for a project described in Subdivisions (13)-(19) of Subsection (f).

(j)  Before the department may enter into a comprehensive development agreement under 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 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 5.  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; EXPIRATION. (a) A regional mobility authority may enter into a comprehensive development agreement for:

(1)  the Interstate Highway 35 Northeast Expansion project, from Loop 410 South in Bexar County to Farm-to-Market Road 1103 in Comal County;

(2)  the Loop 1604 project in Bexar County;

(3)  the Outer Parkway project in Cameron County from U.S. Highway 77 to Farm-to-Market Road 1847;

(4)  the South Padre Island Second Access Causeway project in Cameron County from State Highway 100 to Park Road 100;

(5)  the Farm-to-Market 1925 project from U.S. Highway 281 in Hidalgo County to U.S. Highway 77 in Cameron County;

(6)  the Hidalgo County Loop project;

(7)  the International Bridge Trade Corridor project in Hidalgo County;

(8)  the State Highway 68 project in Hidalgo County;

(9)  the U.S. Highway 290 West project in Travis County from Loop 1 to Ranch-to-Market Road 1826 (Oak Hill Parkway);

(10)  the Loop 1 South project in Travis County from Cesar Chavez Street to Slaughter Lane; and

(11)  the Loop 49 project:

(A)  in Smith County from Interstate Highway 20 to U.S. Highway 69 (Lindale Relief Route); and

(B)  from State Highway 110 in Smith County to U.S. Highway 259 in Gregg County (Segments 6 and 7).

(b)  An authority's authority to enter into a comprehensive development agreement for a project listed in Subsection (a) expires August 31, 2031.

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

(1)  Sections 223.201(k) and (m); and

(2)  Section 223.2011.

SECTION 7.  The changes in law made by this Act do not invalidate a comprehensive development agreement or facility agreement entered into under Subchapter E, Chapter 223, Transportation Code, before the effective date of this Act, and do not limit the Texas Department of Transportation's continued authority relating to those agreements. The prior law is continued in effect for the limited purpose of continuing to govern those agreements as applicable.

SECTION 8.  This Act takes effect September 1, 2021.