

AN ACT

relating to the issuance of Texas Mobility Fund obligations.

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

SECTION 1. Section 201.943, Transportation Code, is amended by amending Subsections (a), (d), and (l) and adding Subsection (m) to read as follows:

(a) Subject to Subsections (e), (f), (g), ~~and~~ (l), and (m), the commission by order or resolution may issue obligations in the name and on behalf of the state and the department and may enter into credit agreements related to the obligations. The obligations may be issued in multiple series and issues from time to time in an aggregate amount not exceeding the maximum obligation amount. The obligations may be issued on and may have the terms and provisions the commission determines appropriate and in the interests of the state. The obligations may be issued as long-term obligations, short-term obligations, or both. The latest scheduled maturity of an issue or series of obligations may not exceed 30 years.

(d) Obligations may be issued for one or more of the following purposes:

(1) to pay all or part of the costs of constructing, reconstructing, acquiring, and expanding state highways, including any necessary design and acquisition of rights-of-way, in the manner and locations determined by the commission that, according to conclusive findings of the commission, have an expected useful

1 life, without material repair, of not less than 10 years;

2 (2) to provide participation by the state in the
3 payment of part of the costs of constructing and providing
4 [~~publicly owned toll roads and other~~] public transportation
5 projects that are determined by the commission to be in the best
6 interests of the state in its major goal of improving the mobility
7 of the residents of the state;

8 (3) to create debt service reserve accounts;

9 (4) to pay interest on obligations for a period of not
10 longer than two years;

11 (5) to refund or cancel outstanding obligations; and

12 (6) to pay the commission's costs of issuance.

13 (1) Except as otherwise provided by this subsection,
14 obligations may not be issued under this section or Section 49-k,
15 Article III, Texas Constitution, on or after January 1, 2027
16 [~~2015~~]. The commission may issue obligations to refund:

17 (1) outstanding obligations to provide savings to the
18 state; and

19 (2) outstanding variable rate obligations and may
20 renew or replace credit agreements relating to the variable rate
21 obligations.

22 (m) The aggregate principal amount of obligations that may
23 be issued under this section or Section 49-k, Article III, Texas
24 Constitution, after May 31, 2021, and before January 1, 2027, other
25 than obligations described by Subsection (1)(1) or (2), may not
26 exceed an amount equal to 60 percent of the outstanding principal
27 amount existing on May 1, 2021, of obligations issued under this

1 section or Section 49-k, Article III, Texas Constitution.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 2219 was passed by the House on May 4, 2021, by the following vote: Yeas 114, Nays 31, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2219 on May 28, 2021, by the following vote: Yeas 112, Nays 36, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2219 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 27, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor