

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:

1 (f) The department may enter into a comprehensive
2 development agreement under this subchapter only for all or part
3 of:

4 (1) the State Highway 99 (Grand Parkway) project;

5 (2) the Interstate Highway 35E managed lanes project
6 in Dallas and Denton Counties from Interstate Highway 635 to U.S.
7 Highway 380;

8 (3) the Interstate Highway 35W project in Tarrant
9 County from Interstate Highway 30 to State Highway 114;

10 (4) the State Highway 183 managed lanes project in
11 Tarrant and Dallas Counties from State Highway 121 to Interstate
12 Highway 35E;

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

15 (A) Interstate Highway 35E from 8th Street to
16 Interstate Highway 20; and

17 (B) U.S. Highway 67 from Interstate Highway 35E
18 to Farm-to-Market Road 1382 (Belt Line Road);

19 (6) the State Highway 288 project from U.S. Highway 59
20 to south of State Highway 6 in Brazoria County and Harris County;

21 (7) the U.S. Highway 290 managed lanes project in
22 Harris County from Interstate Highway 610 to State Highway 99;

23 (8) the Interstate Highway 820 project from State
24 Highway 183 to Randol Mill Road;

25 (9) the State Highway 114 project in Dallas County
26 from State Highway 121 to State Highway 183;

27 (10) the Loop 12 project in Dallas County from State

1 Highway 183 to Interstate Highway 35E;

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

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

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

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

12 (15) the Hempstead Managed Tollway project in Harris
13 County from State Highway 99 to the Interstate Highway
14 610/Interstate Highway 10 interchange;

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

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

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

22 (19) a project listed under Section 370.3051.

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

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

1 managed lanes project; ~~and~~

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

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

6 (j) Before the department may enter into a comprehensive
7 development agreement under Subsection (f), the department must:

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

11 (A) for the project; or

12 (B) for the initial or base scope of the project
13 if the project agreement provides for the phased construction of
14 the project; and

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

17 SECTION 4. 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 5. 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; EXPIRATION. (a) A regional mobility
3 authority may enter into a comprehensive development agreement for:

4 (1) the Interstate Highway 35 Northeast Expansion
5 project, from Loop 410 South in Bexar County to Farm-to-Market Road
6 1103 in Comal County;

7 (2) the Loop 1604 project in Bexar County;

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

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

12 (5) the Farm-to-Market 1925 project from U.S. Highway
13 281 in Hidalgo County to U.S. Highway 77 in Cameron County;

14 (6) the Hidalgo County Loop project;

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

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

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

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

22 (11) the Loop 49 project:

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

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

27 (b) An authority's authority to enter into a comprehensive

1 development agreement for a project listed in Subsection (a)
2 expires August 31, 2031.

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

5 (1) Sections 223.201(k) and (m); and

6 (2) Section 223.2011.

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

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