

By: Martinez

H.B. No. 3160

A BILL TO BE ENTITLED

1 AN ACT

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

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

5 SECTION 1. Section [223.201\(b\)](#), Transportation Code, is
6 redesignated as Section 223.2001, Transportation Code, and amended
7 to read as follows:

8 Sec. 223.2001. DEFINITION. [~~(b)~~] In this subchapter,
9 "comprehensive development agreement" means an agreement that, at a
10 minimum, provides for the design and construction, reconstruction,
11 rehabilitation, expansion, or improvement of a project described in
12 Section 223.201(a) [~~Subsection (a)~~] and may also provide for the
13 financing, acquisition, maintenance, or operation of a project
14 described in Section 223.201(a) [~~Subsection (a)~~].

15 SECTION 2. Sections [223.201\(f\)](#), (g), (i), and (j),
16 Transportation Code, are amended to read as follows:

17 (f) In addition to the projects described by Subsection (a),
18 the [~~The~~] department may enter into a comprehensive development
19 agreement [~~only~~] for all or part of:

- 20 (1) the State Highway 99 (Grand Parkway) project;
- 21 (2) the Interstate Highway 35E managed lanes project
22 in Dallas and Denton Counties from Interstate Highway 635 to U.S.
23 Highway 380;
- 24 (3) the Interstate Highway 35W project in Tarrant

1 County from Interstate Highway 30 to State Highway 114;

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

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

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

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

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

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

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

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

19 (10) the Loop 12 project in Dallas County from State
20 Highway 183 to Interstate Highway 35E;

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

23 (12) the U.S. Highway 181 Harbor Bridge project in
24 Nueces County between U.S. Highway 181 at Beach Avenue and
25 Interstate Highway 37.

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

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

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

6 (i) The department's authority to enter into a
7 comprehensive development agreement under this subchapter
8 expires[÷

9 [~~(1)~~] August 31, 2031 [~~2017~~], for a project [~~described~~
10 ~~by Subsection (f)~~], other than the State Highway 99 (Grand Parkway)
11 project [~~and the State Highway 183 managed lanes project; and~~

12 [~~(2) August 31, 2015, for the State Highway 183~~
13 ~~managed lanes project~~].

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

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

20 (A) for the project; or

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

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

26 SECTION 3. Section 370.305(c), Transportation Code, is
27 amended to read as follows:

1 (c) Except as provided by this chapter, an authority's
2 authority to enter into a comprehensive development agreement
3 expires on August 31, 2031 [~~2011~~].

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

6 (1) Sections [223.201\(k\)](#) and (m); and

7 (2) Section [223.2011](#).

8 SECTION 5. The changes in law made by this Act do not
9 invalidate a comprehensive development agreement or facility
10 agreement entered into under Subchapter [E](#), Chapter [223](#),
11 Transportation Code, before the effective date of this Act, and do
12 not limit the continued authority relating to those agreements. The
13 prior law is continued in effect for the limited purpose of
14 continuing to govern those agreements as applicable.

15 SECTION 6. This Act takes effect September 1, 2021.