

## **BILL ANALYSIS**

Senate Research Center

S.B. 1499  
By: Nichols  
Transportation  
6/14/2023  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This bill amends Chapter 55 of the Transportation Code, which establishes the port access account fund. Currently, the money in this fund can be used for security, transportation, and facility projects. The new amendments would add infrastructure projects to the list of projects eligible for funding from the port access account fund, and limit the amount that may be granted to any one navigation district, port, or applicant to 20 percent of the appropriated funding per biennium.

S.B. 1499 amends current law relating to the funding of certain port projects.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Chapter 55, Transportation Code, to read as follows:

#### **CHAPTER 55. FUNDING OF PORT DEVELOPMENT AND INFRASTRUCTURE PROJECTS, PORT CONNECTIVITY PROJECTS, AND STUDIES**

SECTION 2. Amends Sections 55.001(4-a) and (5), Transportation Code, as follows:

(4-a) Defines "port connectivity project," rather than "port access improvement project."

(5) Defines "port development and infrastructure project," rather than "port security, transportation, or facility project."

SECTION 3. Amends Section 55.002, Transportation Code, by amending Subsections (a), (c), and (e) and adding Subsection (f), as follows:

(a) Requires the Texas Department of Transportation (TxDOT), from money in the port access account fund, to fund:

(1) port development and infrastructure projects, rather than port security, transportation, or facility projects; and

(2) makes no changes to this subdivision.

(c) Provides that port development and infrastructure projects, rather than port security, transportation, or facility projects, eligible for funding under this chapter include:

(1)-(2) makes no changes to these subdivisions;

(3) the construction or improvement of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, or facilities necessary or useful as determined

by the Port Authority Advisory Committee (committee), in connection with maritime port transportation or economic development;

(4) makes no changes to this subdivision;

(5) the acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in commerce and trade, rather than in international commerce; and

(6)-(8) makes no change to these subdivisions.

(e) Authorizes the Texas Transportation Commission (TTC) to use money from the Texas Mobility Fund to provide funding for a port connectivity project, rather than a port access improvement project.

(f) Prohibits any applicant eligible for funding under Section 55.002 (Port Development Funding) from receiving more than 20 percent of the total amount of money appropriated to TxDOT in a fiscal biennium to fund its eligible projects under this section.

SECTION 4. Reenacts Section 55.005, Transportation Code, as added by Section 1, Chapter 1268 (S.B. 1282), Acts of the 77th Legislature, Regular Session, 2001, and amends it, as follows:

Sec. 55.005. PORT ACCESS ACCOUNT FUND. (a) Makes no changes to this subsection.

(b) Requires that the following money be credited to the port access account fund:

(1)-(2) makes nonsubstantive changes to these subdivisions;

(3) money appropriated to the port access account fund by the legislature; and

(4) money received from the federal government.

(c) Authorizes money in the port access account fund to be appropriated only to TxDOT to perform TxDOT's powers and duties concerning maritime port transportation and economic development under this chapter and to pay TxDOT's expenses incurred under this chapter, as approved by the committee.

(c-1) Authorizes money appropriated by the legislature under Subsection (b)(3) to be used only to fund eligible port development and infrastructure projects under Section 55.002 (Port Development Funding).

(d) Provides that the financial transactions of the fund are subject to audit by the state auditor.

SECTION 5. Effective date: September 1, 2023.