

1-1 By: Nichols S.B. No. 1499  
 1-2 (In the Senate - Filed March 2, 2023; March 16, 2023, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 March 22, 2023, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; March 22, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 West	X			
1-9 Alvarado	X			
1-10 Eckhardt	X			
1-11 Hancock	X			
1-12 King	X			
1-13 Miles	X			
1-14 Parker	X			
1-15 Perry	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the funding of certain port projects.  
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. The heading to Chapter 55, Transportation Code,  
 1-22 is amended to read as follows:  
 1-23 CHAPTER 55. FUNDING OF PORT DEVELOPMENT AND INFRASTRUCTURE  
 1-24 [~~SECURITY,~~] PROJECTS, PORT CONNECTIVITY PROJECTS, AND STUDIES  
 1-25 SECTION 2. Sections 55.001(4-a) and (5), Transportation  
 1-26 Code, are amended to read as follows:  
 1-27 (4-a) "Port connectivity [~~access—improvement~~]  
 1-28 project" means the construction or improvement of public roadways  
 1-29 that will enhance connectivity to ports.  
 1-30 (5) "Port development and infrastructure [~~security,~~  
 1-31 ~~transportation, or facility~~] project" means an infrastructure,  
 1-32 security, transportation, or facility [~~a~~] project that is necessary  
 1-33 or convenient for the proper operation of a maritime port and that  
 1-34 will improve the security, movement, and intermodal transportation  
 1-35 of cargo or passengers in commerce and trade.  
 1-36 SECTION 3. Section 55.002, Transportation Code, is amended  
 1-37 by amending Subsections (a), (c), and (e) and adding Subsection (f)  
 1-38 to read as follows:  
 1-39 (a) From money in the fund, the department shall fund:  
 1-40 (1) port development and infrastructure [~~security,~~  
 1-41 ~~transportation, or facility~~] projects; and  
 1-42 (2) maritime port studies.  
 1-43 (c) Port development and infrastructure [~~security,~~  
 1-44 ~~transportation, or facility~~] projects eligible for funding under  
 1-45 this chapter include:  
 1-46 (1) construction or improvement of transportation  
 1-47 facilities within the jurisdiction of a maritime port;  
 1-48 (2) the dredging or deepening of channels, turning  
 1-49 basins, or harbors;  
 1-50 (3) the construction or improvement of wharves, docks,  
 1-51 structures, jetties, piers, storage facilities, cruise terminals,  
 1-52 or [~~any~~] facilities necessary or useful, as determined by the  
 1-53 committee, in connection with maritime port transportation or  
 1-54 economic development;  
 1-55 (4) the construction or improvement of facilities  
 1-56 necessary or useful in providing maritime port security;  
 1-57 (5) the acquisition of container cranes or other  
 1-58 mechanized equipment used in the movement of cargo or passengers in  
 1-59 [~~international~~] commerce and trade;  
 1-60 (6) the acquisition of land to be used for maritime  
 1-61 port purposes;

2-1 (7) the acquisition, improvement, enlargement, or  
2-2 extension of existing maritime port facilities; and

2-3 (8) environmental protection projects that:

2-4 (A) are required as a condition of a state,  
2-5 federal, or local environmental permit or other form of approval;

2-6 (B) are necessary for the acquisition of spoil  
2-7 disposal sites and improvements to existing and future spoil sites;  
2-8 or

2-9 (C) result from the undertaking of eligible  
2-10 projects.

2-11 (e) The commission may use money from the Texas Mobility  
2-12 Fund to provide funding for a port connectivity [~~access~~  
2-13 ~~improvement~~] project.

2-14 (f) No one port applicant eligible for funding under this  
2-15 section may receive more than 20 percent of the total amount of  
2-16 money appropriated to the department in a fiscal biennium to fund  
2-17 its eligible projects under this section.

2-18 SECTION 4. Section 55.005, Transportation Code, is amended  
2-19 by amending Subsections (b) and (c) and adding Subsection (c-1) to  
2-20 read as follows:

2-21 (b) The following money shall be credited to the fund:

2-22 (1) money received from gifts, grants, and donations;

2-23 [~~and~~]  
2-24 (2) interest earned on deposits and investments of the  
2-25 fund;

2-26 (3) money appropriated to the fund by the legislature;

2-27 and

2-28 (4) money received from the federal government.

2-29 (c) Money in the fund may be appropriated only to the  
2-30 department to perform the department's powers and duties concerning  
2-31 maritime port transportation and economic development under this  
2-32 chapter and to pay the department's expenses incurred under this  
2-33 chapter, as approved by the committee.

2-34 (c-1) Money appropriated by the legislature under  
2-35 Subsection (b)(3) may only be used to fund eligible port  
2-36 development and infrastructure projects under Section 55.002.

2-37 SECTION 5. This Act takes effect September 1, 2023.

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