

BILL ANALYSIS

Senate Research Center
76R7489 JD-F

S.B. 925
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Infrastructure
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As Filed

DIGEST

Currently, Texas law prohibits the Texas Department of Transportation (department) from expending money for the construction, operation, and maintenance of turnpikes, toll roads and toll bridges without a requirement that such expenditures be repaid to the state highway fund. The Texas Turnpike Authority Division (authority) of the department operates as a division of the department, but constitutional provisions may preclude the department from advancing funds for turnpike project development without an obligation for repayment. S.B. 925 authorizes the department to expend funds for toll projects including providing funds for the authority, and authorizing the Texas Transportation Commission to require repayment of funds which are provided by the department.

PURPOSE

As proposed, S.B. 925 authorizes the Texas Department of Transportation to participate in the construction, maintenance, and operation of toll facilities.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222.103, Transportation Code, to authorize the Texas Department of Transportation (department) to participate, by spending money from any available source, in the cost of the construction, maintenance, or operation of a toll facility of a public or private entity on terms and conditions established by the Texas Transportation Commission (commission). Authorizes the commission to require the repayment of any money spent by the department under this subsection. Requires the department to notify certain members of the legislature on the status of the project and how any other project in any other district would be affected, not later than the 90th day before the date an expenditure is made or a loan is granted by the department for a project under this section. Deletes text regarding a successor agency to the Texas Turnpike Authority. Makes conforming changes.

SECTION 2. Amends Section 361.184(b), Transportation Code, to authorize the board of directors of the Texas Turnpike Authority (authority), a division of the Texas Department of Transportation (board) to transfer, or direct the authority to transfer, into the project revolving fund money from any permissible source, including money, rather than advances, from the state highway fund. Deletes text regarding repayment of advances.

SECTION 3. Amends Section 361.191, Transportation Code, to authorize the department to provide for the expenditure of money for the cost of the construction, maintenance, or operation of a turnpike project by the authority. Authorizes the department to require the authority to repay money provided to the authority under Subsection (a) from toll revenue or other sources and on terms established by the commission. Deletes text regarding repayment of certain funds.

SECTION 4. Amends Section 362.004(e) and (f), Transportation Code, to authorize the commission to require the authority to repay that money, rather than the fund, from toll revenue or other sources and on terms established by the commission, rather than tolls or other turnpike revenue. Authorizes the commission to require the authority to repay funds advanced under this subsection from toll revenue or other sources and on terms established by the commission. Deletes text requiring any money advanced out of the state highway fund to be repaid to the fund from tolls or other turnpike revenue.

SECTION 5. Provides that this Act takes effect on the date on which the constitutional amendment proposed by ___J.R. No. ___, 76th Legislature, Regular Session, 1999, takes effect. Provides that if the amendment is not approved by the voters, this Act has no effect.