

## **BILL ANALYSIS**

C.S.H.B. 1968  
By: Martinez, "Mando"  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that regional mobility authorities in certain counties do not have the authority to enter into a comprehensive development agreement for certain transportation projects that would provide important infrastructure vital to the future growth and development of the region in which the counties are located. These parties contend that the lack of the authority to enter into such an agreement leaves the regional mobility authorities and the region at a distinct disadvantage as they seek to grow and develop crucial transportation infrastructure. C.S.H.B. 1968 seeks to address this concern.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1968 amends the Transportation Code to postpone from August 31, 2017, to August 31, 2019, the deadline by which the Texas Department of Transportation (TxDOT) is required to obtain the appropriate environmental clearance for certain highway projects in order to be authorized to enter into a certain comprehensive development agreement for such a project. The bill makes the authorization for TxDOT or a regional mobility authority to enter into a comprehensive development agreement relating to improvements to or construction of specified transportation-related projects applicable to one or more such agreements. The bill adds to such transportation-related projects the Farm-to-Market Road 1925 project in Cameron and Hidalgo Counties from Interstate 69E to Interstate 69C and a project or projects consisting of the construction of the Farm-to-Market Road 106 project in Cameron County from Farm-to-Market Road 1847 to Farm-to-Market Road 510. The bill specifies the authority of TxDOT or an authority to enter into one or more such comprehensive development agreements for a project consisting of the construction of the Outer Parkway Project in Cameron County from U.S. Highway 77 to Farm-to-Market Road 1847 and the South Padre Island Second Access Causeway Project from State Highway 100 to Park Road 100 applies with respect to a project or projects.

C.S.H.B. 1968 postpones from December 1, 2014, to December 1, 2016, the deadline by which TxDOT or the authority, as applicable, is required to provide a report to the Texas Transportation Commission on the status of projects for which TxDOT or the authority may enter into one or more comprehensive agreements for improvement or construction purposes. The bill postpones from August 31, 2017, to August 31, 2019, the expiration date of the authorization for TxDOT or a regional mobility authority to enter into such a comprehensive development agreement.

## EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1968 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Section 223.201(j), Transportation Code, is amended.

SECTION 2. Sections 223.2011(a), (c), and (f), Transportation Code, are amended to read as follows:

(a) Notwithstanding Sections 223.201(f) and 370.305(c), the department or an authority under Section 370.003 may enter into a comprehensive development **agreement** relating to improvements to, or construction of, all or part of:

(1) the Loop 1 (MoPac Improvement) project from Farm-to-Market Road 734 to Cesar Chavez Street;

(2) the U.S. 183 (Bergstrom Expressway) project from Springdale Road to Patton Avenue;

(3) a project consisting of the construction of:

(A) the Outer Parkway Project in Cameron County from U.S. Highway 77 to Farm-to-Market Road 1847; and

(B) the South Padre Island Second Access Causeway Project from State Highway 100 to Park Road 100;

(4) the Loop 49 project from Interstate 20 to U.S. Highway 69 (Lindale Relief Route) and from State Highway 110 to U.S. Highway 259 (Segments 6 and 7);

(5) the Loop 375 Border Highway West project in El Paso County from Race Track Drive to U.S. Highway 54;

(6) the Northeast Parkway project in El Paso County from Loop 375 east of the Railroad Drive overpass to the Texas-New Mexico border;

(7) the Loop 1604 project in Bexar County;

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Sections 223.2011(a), (c), and (f), Transportation Code, are amended to read as follows:

(a) Notwithstanding Sections 223.201(f) and 370.305(c), the department or an authority under Section 370.003 may enter into **one or more [a]** comprehensive development **agreements [agreement]** relating to improvements to, or construction of, all or part of:

(1) the Loop 1 (MoPac Improvement) project from Farm-to-Market Road 734 to Cesar Chavez Street;

(2) the U.S. 183 (Bergstrom Expressway) project from Springdale Road to Patton Avenue;

(3) a project **or projects** consisting of the construction of:

(A) the Outer Parkway Project in Cameron County from U.S. Highway 77 to Farm-to-Market Road 1847; ~~and~~

(B) the South Padre Island Second Access Causeway Project from State Highway 100 to Park Road 100; **and**

**(C) the Farm-to-Market Road 106 project in Cameron County from Farm-to-Market Road 1847 to Farm-to-Market Road 510;**

(4) the Loop 49 project from Interstate 20 to U.S. Highway 69 (Lindale Relief Route) and from State Highway 110 to U.S. Highway 259 (Segments 6 and 7);

(5) the Loop 375 Border Highway West project in El Paso County from Race Track Drive to U.S. Highway 54;

(6) the Northeast Parkway project in El Paso County from Loop 375 east of the Railroad Drive overpass to the Texas-New Mexico border;

(7) the Loop 1604 project in Bexar County;

(8) the Hidalgo County Loop project; ~~and~~  
(9) the International Bridge Trade Corridor project; and  
(10) the Farm-to-Market 1925 project in Cameron County from Interstate 69E to Interstate 69C.

(c) Not later than December 1, 2016 [2014], the department or the authority, as applicable, shall provide a report to the commission on the status of a project described by Subsection (a). The report must include:

- (1) the status of the project's environmental clearance;
- (2) an explanation of any project delays; and
- (3) if the procurement is not completed, the anticipated date for the completion of the procurement.

(f) The authority to enter into a comprehensive development agreement under this section expires August 31, 2019 [2017].

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

(8) the Hidalgo County Loop project; ~~and~~  
(9) the International Bridge Trade Corridor project; and  
(10) the Farm-to-Market Road 1925 project in Cameron and Hidalgo Counties from Interstate 69E to Interstate 69C.

(c) Not later than December 1, 2016 [2014], the department or the authority, as applicable, shall provide a report to the commission on the status of a project described by Subsection (a). The report must include:

- (1) the status of the project's environmental clearance;
- (2) an explanation of any project delays; and
- (3) if the procurement is not completed, the anticipated date for the completion of the procurement.

(f) The authority to enter into a comprehensive development agreement under this section expires August 31, 2019 [2017].

SECTION 3. Same as introduced version.