

1-1 By: Burns, et al. (Senate Sponsor - Birdwell) H.B. No. 1394
 1-2 (In the Senate - Received from the House May 6, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on
 1-4 Transportation; May 21, 2015, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

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

1-19 relating to the composition, governance, and authority of a
 1-20 regional tollway authority that has or proposes to have projects
 1-21 located in counties that are not part of the authority.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 366.031, Transportation Code, is amended
 1-24 by adding Subsection (e) to read as follows:

1-25 (e) A county that is not part of an authority and in which an
 1-26 authority turnpike project is located becomes part of the authority
 1-27 on the date the authority determines that:

1-28 (1) recorded electronic toll collections at toll
 1-29 assessment facilities located in the county account for not less
 1-30 than four percent of all recorded electronic toll collections on
 1-31 all of the authority's turnpike projects; and

1-32 (2) the population of the county is at least four
 1-33 percent of the aggregate population of all the counties of the
 1-34 authority, not including the county that will become part of the
 1-35 authority.

1-36 SECTION 2. Subchapter B, Chapter 366, Transportation Code,
 1-37 is amended by adding Section 366.0311 to read as follows:

1-38 Sec. 366.0311. ADVISORY COMMITTEE FOR PROJECTS LOCATED
 1-39 OUTSIDE AUTHORITY. (a) At the time an authority enters into a
 1-40 primary construction contract for its first project to be located
 1-41 in a county that is not part of the authority, the authority shall
 1-42 create an advisory committee to advise the board on matters related
 1-43 to projects located in counties that are not part of the authority.

1-44 (b) The advisory committee must be composed of:

1-45 (1) the director of the authority appointed by the
 1-46 governor, who serves as the chair of the committee;

1-47 (2) an additional director of the authority appointed
 1-48 by the presiding officer of the board as the presiding officer deems
 1-49 appropriate; and

1-50 (3) one member from each county that is not part of the
 1-51 authority and in which a project is proposed to be located, to be
 1-52 appointed by the commissioners court of that county at the time a
 1-53 primary construction contract for the project is entered into.

1-54 (c) An advisory committee member appointed under Subsection
 1-55 (b)(3) is not a director of the authority for the purposes of
 1-56 Section 366.251 or any other purpose.

1-57 (d) The board may adopt rules governing the operation and
 1-58 duties of an advisory committee.

1-59 SECTION 3. Section 366.161, Transportation Code, is amended
 1-60 to read as follows:

1-61 Sec. 366.161. TURNPIKE PROJECTS EXTENDING INTO OTHER

2-1 COUNTIES. An authority may acquire, construct, operate, maintain,
2-2 expand, or extend a turnpike project in:

- 2-3 (1) a county that is a part of the authority; or
- 2-4 (2) subject to Sections 366.031(e) and 366.0311, a
- 2-5 county in which the authority operates or is constructing a
- 2-6 turnpike project if the turnpike project in the affected county is a
- 2-7 continuation of the authority's turnpike project or system
- 2-8 extending from an adjacent county.

2-9 SECTION 4. Section 366.251(c), Transportation Code, is
2-10 amended to read as follows:

2-11 (c) In addition to directors appointed by a commissioners
2-12 court under Subsection (b), the commissioners courts of each county
2-13 that created the authority under Section 366.031 [~~of the authority~~]
2-14 shall appoint one additional director [~~if the county is:~~

2-15 [~~(1) a county that created the authority under Section~~
2-16 366.031; or

2-17 [~~(2) a county in which all or part of a turnpike~~
2-18 ~~project of not less than 10 centerline miles in length is located~~
2-19 ~~and has been open for use by the traveling public for at least three~~
2-20 ~~years~~].

2-21 SECTION 5. This Act takes effect September 1, 2015.

2-22 * * * * *