

1-1 By: Hancock S.B. No. 1511  
 1-2 (In the Senate - Filed March 12, 2015; March 23, 2015, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 April 30, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 30, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 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 | X   |     |        |     |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1511 By: Hancock

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the establishment and governance of certain regional  
 1-22 transportation authorities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 321.101(b), Tax Code, is amended to read  
 1-25 as follows:

1-26 (b) A municipality that is not disqualified may, by a  
 1-27 majority vote of the qualified voters of the municipality voting at  
 1-28 an election held for that purpose, adopt an additional sales and use  
 1-29 tax for the benefit of the municipality in accordance with this  
 1-30 chapter. A municipality is disqualified from adopting the  
 1-31 additional sales and use tax if the municipality:

1-32 (1) is included within the boundaries of a rapid  
 1-33 transit authority created under Chapter 451, Transportation Code;

1-34 (2) is included within the boundaries of a regional  
 1-35 transportation authority created under Chapter 452, Transportation  
 1-36 Code, by a principal municipality having a population of less than  
 1-37 1.1 million according to the most recent federal decennial census  
 1-38 [~~800,000~~], unless the municipality has a population of 400,000 or  
 1-39 more and is located in more than one county;

1-40 (3) is wholly or partly located in a county that  
 1-41 contains territory within the boundaries of a regional  
 1-42 transportation authority created under Chapter 452, Transportation  
 1-43 Code, by a principal municipality having a population in excess of  
 1-44 1.1 million according to the most recent federal decennial census  
 1-45 [~~800,000~~], unless:

1-46 (A) the municipality is a contiguous  
 1-47 municipality; or

1-48 (B) the municipality is not included within the  
 1-49 boundaries of the authority and is located wholly or partly in a  
 1-50 county in which fewer than 250 persons are residents of both the  
 1-51 county and the authority according to the most recent federal  
 1-52 census; or

1-53 (C) the municipality is not and on January 1,  
 1-54 1993, was not included within the boundaries of the authority; or

1-55 (4) imposes a tax authorized by Chapter 453,  
 1-56 Transportation Code.

1-57 SECTION 2. Section 321.1025(a), Tax Code, is amended to  
 1-58 read as follows:

1-59 (a) A municipality that is wholly or partly located in a  
 1-60 county that contains territory within the boundaries of a regional  
 1-61 transportation authority created under Chapter 452, Transportation  
 1-62 Code, by a principal municipality having a population of more than

2-1 1.1 million according to the most recent federal decennial census  
2-2 [800,000] and that has adopted an additional sales and use tax for  
2-3 the benefit of the municipality may hold an election on the question  
2-4 of whether the municipality shall be annexed to the authority.

2-5 SECTION 3. Section 452.502(a), Transportation Code, is  
2-6 amended to read as follows:

2-7 (a) The executive committee of a regional transportation  
2-8 authority confirmed in more than one subregion is composed of 11  
2-9 members selected as follows:

2-10 (1) seven members from the membership of the  
2-11 subregional board in the subregion that has [containing] a  
2-12 principal municipality with [having] a population of more than 1.1  
2-13 million according to the most recent federal decennial census  
2-14 [800,000]; and

2-15 (2) four members from the membership of the  
2-16 subregional board in the subregion that has no principal  
2-17 municipality with a population of more than 1.1 million according  
2-18 to the most recent federal decennial census [800,000].

2-19 SECTION 4. The heading to Subchapter N, Chapter 452,  
2-20 Transportation Code, is amended to read as follows:

2-21 SUBCHAPTER N. SUBREGIONAL BOARD IN AUTHORITY HAVING NO  
2-22 MUNICIPALITY WITH POPULATION OF MORE THAN 1.1 MILLION [800,000]

2-23 SECTION 5. Section 452.561, Transportation Code, is amended  
2-24 to read as follows:

2-25 Sec. 452.561. APPLICABILITY OF SUBCHAPTER. This subchapter  
2-26 applies only to the board of a subregion that has no principal  
2-27 municipality with a population of more than 1.1 million according  
2-28 to the most recent federal decennial census [800,000].

2-29 SECTION 6. Sections 452.562(a), (b), and (c),  
2-30 Transportation Code, are amended to read as follows:

2-31 (a) A subregional board is composed of 11 [nine] members.

2-32 (b) If the entire county of the principal municipality is  
2-33 included in the authority, the subregional board consists of:

2-34 (1) five [four] members appointed by the governing  
2-35 body of the principal municipality;

2-36 (2) five [four] members appointed by the commissioners  
2-37 court of the county of the principal municipality; and

2-38 (3) one member appointed by the governing body of a  
2-39 municipality that is in the authority and has a population of more  
2-40 than 100,000.

2-41 (c) If Subsection (b) does not apply, the subregional board  
2-42 shall be appointed as follows:

2-43 (1) the commissioners court of the county of the  
2-44 principal municipality shall appoint at least three members [one  
2-45 member] to represent:

2-46 (A) the unincorporated areas and municipalities  
2-47 in the county that are not otherwise represented on the subregional  
2-48 board; and

2-49 (B) the municipalities that have entered into a  
2-50 contract with the authority to receive services; and

2-51 (2) the remaining members shall be apportioned to the  
2-52 municipalities confirmed as all or part of the subregion according  
2-53 to the ratio that the population of each unit of election bears to  
2-54 the total population of the area confirmed as the subregion.

2-55 SECTION 7. The heading to Subchapter O, Chapter 452,  
2-56 Transportation Code, is amended to read as follows:

2-57 SUBCHAPTER O. SUBREGIONAL BOARD IN SUBREGION HAVING PRINCIPAL  
2-58 MUNICIPALITY WITH POPULATION OF MORE THAN 1.1 MILLION [800,000]

2-59 SECTION 8. Section 452.571, Transportation Code, is amended  
2-60 to read as follows:

2-61 Sec. 452.571. APPLICABILITY OF SUBCHAPTER. This subchapter  
2-62 applies only to the board of a subregion that has a principal  
2-63 municipality with a population of more than 1.1 million according  
2-64 to the most recent federal decennial census [800,000].

2-65 SECTION 9. Sections 452.605(a) and (b), Transportation  
2-66 Code, are amended to read as follows:

2-67 (a) A municipality with [having] a population of at least  
2-68 250,000 according to the most recent [preceding] federal decennial  
2-69 census and located in a county that has no principal municipality  
2-70 with a population of more than 1.1 million [800,000] according to  
2-71 the most recent [preceding] federal decennial census may join a

3-1 separate authority by complying with this chapter.

3-2 (b) If a municipality described by Subsection (a) joins a  
3-3 separate authority and another separate authority is subsequently  
3-4 established in a county that has no principal municipality with a  
3-5 [of more than 800,000] population of more than 1.1 million  
3-6 according to the most recent [preceding] federal decennial census,  
3-7 any municipality in that county that has voted to participate with  
3-8 any authority created under this chapter may at the time of the  
3-9 creation of the new authority:

3-10 (1) remain in the authority that was created first;

3-11 (2) join the new authority in the county in which the  
3-12 municipality is located; or

3-13 (3) participate with both authorities.

3-14 SECTION 10. Section 452.657, Transportation Code, is  
3-15 amended by adding Subsections (e) and (f) to read as follows:

3-16 (e) In a unit of election with a population of less than  
3-17 10,000 according to the most recent federal decennial census that  
3-18 withdraws from an authority consisting of one subregion governed by  
3-19 a subregional board created under Subchapter N, title to all real  
3-20 estate in the unit of election owned or partially owned by the  
3-21 authority, including improvements made by the authority, except a  
3-22 right-of-way or an improvement to a right-of-way, shall immediately  
3-23 vest in the authority, and the authority may continue to use the  
3-24 real estate and improvements in the withdrawn unit of election as  
3-25 may be determined by the authority to be necessary:

3-26 (1) for the continuation of service to other units of  
3-27 election;

3-28 (2) to satisfy the authority's remaining federal grant  
3-29 obligation for the real estate and improvements; or

3-30 (3) for the operation of a public transportation  
3-31 system as provided by Section 452.056(a).

3-32 (f) An authority is responsible for all operation and  
3-33 maintenance costs of the property and improvements located in the  
3-34 withdrawn unit of election that are owned or partially owned by the  
3-35 authority as described by Subsection (e).

3-36 SECTION 11. Section 452.659, Transportation Code, is  
3-37 amended by adding Subsection (e) to read as follows:

3-38 (e) Notwithstanding any other provision of this chapter, in  
3-39 determining the total financial obligation of a withdrawn unit of  
3-40 election to an authority consisting of one subregion governed by a  
3-41 subregional board created under Subchapter N, Subsection (a)(2)  
3-42 does not apply, and the amounts calculated under Subsection (a)(1)  
3-43 do not include any financial, contractual, or other obligations  
3-44 incurred by the authority between the date that an election to  
3-45 withdraw is ordered and the date of the canvass of the election.  
3-46 The executive committee shall determine the total financial  
3-47 obligation of the withdrawn unit of election not later than the  
3-48 180th day after the date the election is called. This subsection:

3-49 (1) applies to an election to withdraw that is ordered  
3-50 before, on, or after September 1, 2015; and

3-51 (2) expires August 31, 2016.

3-52 SECTION 12. Section 452.710(b), Transportation Code, is  
3-53 amended to read as follows:

3-54 (b) The interim subregional board of a subregion that has no  
3-55 principal municipality with a population of more than 1.1 million  
3-56 according to the most recent federal decennial census [800,000] is  
3-57 composed of 11 [nine] members appointed as provided by Section  
3-58 452.562(b).

3-59 SECTION 13. Section 452.712(d), Transportation Code, is  
3-60 amended to read as follows:

3-61 (d) In a subregion that has no principal municipality with a  
3-62 population of more than 1.1 million according to the most recent  
3-63 federal decennial census [800,000], the tax rate must be approved  
3-64 by the commissioners court before the confirmation election.

3-65 SECTION 14. This Act takes effect September 1, 2015.

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