

1-1 By: Kolkhorst S.B. No. 812
 1-2 (In the Senate - Filed February 9, 2017; February 27, 2017,
 1-3 read first time and referred to Committee on Transportation;
 1-4 May 3, 2017, reported favorably by the following vote: Yeas 5,
 1-5 Nays 1; May 3, 2017, 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 repayment of money contributed by the Texas Department
 1-20 of Transportation or the Texas Transportation Commission for toll
 1-21 projects.

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

1-23 SECTION 1. Section 222.103(a), Transportation Code, is
 1-24 amended to read as follows:

1-25 (a) The department may participate, by spending money from
 1-26 any available source, in the cost of the acquisition, construction,
 1-27 maintenance, or operation of a toll facility of a public or private
 1-28 entity on terms and conditions established by the commission. The
 1-29 commission~~+~~

1-30 ~~[(1) may require the repayment of any money spent by~~
 1-31 ~~the department for the cost of a toll facility of a public entity,~~
 1-32 ~~and~~

1-33 ~~[(2)] shall require the repayment of any money spent~~
 1-34 ~~[by the department for the cost of a toll facility of a private~~
 1-35 ~~entity].~~

1-36 SECTION 2. Section 366.301(c), Transportation Code, is
 1-37 amended to read as follows:

1-38 (c) An obligation or expense incurred by the commission or
 1-39 department under this section is a part of the cost of the turnpike
 1-40 project for which the obligation or expense was incurred. The
 1-41 commission or department shall ~~may~~ require money contributed by
 1-42 the commission or department under this section to be repaid. The
 1-43 commission or department may require the money to be repaid from
 1-44 tolls or other revenue of the turnpike project or system on which
 1-45 the money was spent. Money repaid as required by the commission or
 1-46 department shall be deposited to the credit of the fund from which
 1-47 the contribution was made. Money deposited as required by this
 1-48 section is exempt from the application of Section 403.095,
 1-49 Government Code.

1-50 SECTION 3. Section 370.033(m), Transportation Code, is
 1-51 amended to read as follows:

1-52 (m) If an authority receives money from the general revenue
 1-53 fund, the Texas Mobility Fund, or the state highway fund, it:

1-54 (1) may use the money only to acquire, design,
 1-55 finance, construct, operate, or maintain a turnpike project under
 1-56 Section 370.003(14)(A) or (D) or a transit system under Section
 1-57 370.351; and

1-58 (2) must repay the money.

1-59 SECTION 4. Sections 370.301(c) and (f), Transportation
 1-60 Code, are amended to read as follows:

1-61 (c) An obligation or expense incurred by the commission or

2-1 department under this section is a part of the cost of the turnpike
2-2 project for which the obligation or expense was incurred. The
2-3 commission or department shall ~~[may]~~ require money contributed by
2-4 the commission or department under this section to be repaid. The
2-5 commission or department may require the money to be repaid from
2-6 tolls or other revenue of the turnpike project on which the money
2-7 was spent. Money repaid as required by the commission or department
2-8 shall be deposited to the credit of the fund from which the
2-9 contribution was made. Money deposited as required by this section
2-10 is exempt from the application of Section 403.095, Government Code.

2-11 (f) The commission may ~~[grant or]~~ loan department money to
2-12 an authority for the acquisition of land for or the construction,
2-13 maintenance, or operation of a turnpike project. The commission
2-14 shall ~~[may]~~ require the authority to repay money loaned ~~[provided]~~
2-15 under this section. The commission may require the money to be
2-16 repaid from toll revenue or other sources on terms established by
2-17 the commission.

2-18 SECTION 5. Subchapter A, Chapter 372, Transportation Code,
2-19 is amended by adding Section 372.002 to read as follows:

2-20 Sec. 372.002. REPAYMENT OF MONEY CONTRIBUTED BY DEPARTMENT.
2-21 A toll project entity shall repay to the department any money
2-22 contributed by the department as participation in the cost of the
2-23 entity's toll projects, including money from the state highway
2-24 fund, the Texas Mobility Fund, or other sources available to the
2-25 department.

2-26 SECTION 6. The changes in law made by this Act apply only to
2-27 a loan, grant, or other contribution made by the Texas Department of
2-28 Transportation or the Texas Transportation Commission on or after
2-29 the effective date of this Act. A loan, grant, or other
2-30 contribution made before the effective date of this Act is governed
2-31 by the law in effect on the date the loan, grant, or other
2-32 contribution is made, and the former law is continued in effect for
2-33 that purpose.

2-34 SECTION 7. This Act takes effect September 1, 2017.

2-35 * * * * *