

1-1 By: Flores S.B. No. 2260
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read
 1-3 first time and referred to Committee on Transportation;
 1-4 April 24, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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. 2260 By: Hancock

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

1-21 relating to the grant program distributing money from the
 1-22 transportation infrastructure fund.

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

1-24 SECTION 1. Section 256.103, Transportation Code, is amended
 1-25 by amending Subsections (a) and (b) and adding Subsection (a-1) to
 1-26 read as follows:

1-27 (a) The department shall develop policies and procedures to
 1-28 administer a grant program under this subchapter to make grants to
 1-29 counties only for transportation infrastructure projects located
 1-30 in areas of the state affected by increased oil and gas
 1-31 production. The department may adopt rules to implement this
 1-32 subchapter.

1-33 (a-1) A county is eligible for a grant under this subchapter
 1-34 if at least \$10 million in oil and gas production taxes were
 1-35 collected in the county in the fiscal year preceding the fiscal year
 1-36 in which the county applies for a grant, as determined by the
 1-37 comptroller.

1-38 (b) Grants distributed during a fiscal year must be
 1-39 allocated among counties as follows:

1-40 (1) 10 [~~20~~] percent according to weight tolerance
 1-41 permits, determined by the ratio of weight tolerance permits issued
 1-42 in the preceding fiscal year for the county to the total number of
 1-43 weight tolerance permits issued in the state in that fiscal year, as
 1-44 determined by the Texas Department of Motor Vehicles;

1-45 (2) 20 percent according to oil and gas production
 1-46 taxes, determined by the ratio of oil and gas production taxes
 1-47 collected by the comptroller in the preceding fiscal year in the
 1-48 county to the total amount of oil and gas production taxes collected
 1-49 in the state in that fiscal year, as determined by the comptroller;

1-50 (3) 45 [~~50~~] percent according to horizontal well
 1-51 completions, determined by the ratio of horizontal well completions
 1-52 in the preceding fiscal year in the county to the total number of
 1-53 horizontal well completions in the state in that fiscal year, as
 1-54 determined by the Railroad Commission of Texas; [~~and~~]

1-55 (4) 10 percent according to the volume of oil and gas
 1-56 waste injected, determined by the ratio of the volume of oil and gas
 1-57 waste injected in the preceding fiscal year in the county to the
 1-58 total volume of oil and gas waste injected in the state in that
 1-59 fiscal year, as determined by the Railroad Commission of Texas; and

1-60 (5) 15 percent according to vertical well completions,

2-1 determined by the ratio of vertical well completions in the
2-2 preceding fiscal year in the county to the total number of vertical
2-3 well completions in the state in that fiscal year, as determined by
2-4 the Railroad Commission of Texas.

2-5 SECTION 2. Section 256.104(a), Transportation Code, is
2-6 amended to read as follows:

2-7 (a) In applying for a grant under this subchapter, the
2-8 county shall:

2-9 (1) provide the road condition report described by
2-10 Section 251.018 made by the county for the previous year; and

2-11 (2) submit to the department a plan that:

2-12 (A) provides a list of transportation
2-13 infrastructure projects to be funded by the grant;

2-14 (B) describes the scope of the transportation
2-15 infrastructure project or projects to be funded by the grant using
2-16 best practices for prioritizing the projects; and

2-17 (C) [~~provides for matching funds as required by~~
2-18 ~~Section 256.105, and~~

2-19 [~~(D)~~] meets any other requirements imposed by the
2-20 department.

2-21 SECTION 3. Subchapter C, Chapter 256, Transportation Code,
2-22 is amended by adding Sections 256.107 and 256.108 to read as
2-23 follows:

2-24 Sec. 256.107. COMPETITIVE BIDDING REQUIRED FOR CONTRACTS
2-25 FUNDED BY GRANTS. (a) Except as otherwise provided by law, a county
2-26 that enters into a contract for a transportation infrastructure
2-27 project that involves construction or maintenance of roads and is
2-28 funded by a grant under this subchapter shall:

2-29 (1) advertise for bids for the contract in a manner
2-30 prescribed by law;

2-31 (2) receive competitive bids for the contract,
2-32 publicly open the bids, and read aloud the names of the bidders and
2-33 their bids; and

2-34 (3) award the contract to the lowest responsible
2-35 bidder.

2-36 (b) In advertising for bids under Subsection (a), a county
2-37 shall prepare a request for competitive bids that includes
2-38 construction documents, estimated budget, project scope, estimated
2-39 project completion date, and other information that a bidder may
2-40 require to submit a bid.

2-41 (c) Not later than the seventh day after the date a contract
2-42 described by Subsection (a) is awarded, the county that awarded the
2-43 contract shall document the basis of its selection and shall make
2-44 the evaluations public.

2-45 Sec. 256.108. PERIOD FOR SPENDING GRANT. A grant awarded
2-46 under this subchapter must be spent not later than the fifth
2-47 anniversary of the date of the award.

2-48 SECTION 4. Section 256.105, Transportation Code, is
2-49 repealed.

2-50 SECTION 5. Section 256.107, Transportation Code, as added
2-51 by this Act, applies only to a contract entered into on or after the
2-52 effective date of this Act. A contract entered into before the
2-53 effective date of this Act is governed by the law in effect on the
2-54 date the contract was entered into, and the former law is continued
2-55 in effect for that purpose.

2-56 SECTION 6. This Act takes effect September 1, 2019.

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