

82R486 SLB-F

By: Shapiro

S.B. No. 163

A BILL TO BE ENTITLED

AN ACT

relating to agreements between a regional tollway authority and a local governmental entity governing the ownership, construction, maintenance, and operation of toll projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 366.303, Transportation Code, is amended by amending Subsection (d) and adding Subsections (f) and (g) to read as follows:

(d) The term of an agreement under Subsections (a) through (c) [this section] may not exceed 40 years.

(f) Except as provided by Subsection (g), a local governmental entity may not own, construct, maintain, or operate a turnpike project or other toll project, as that term is defined by Section 201.001, in a county that is part of an authority unless the local governmental entity and the authority enter into a written agreement specifying the terms and conditions under which the project will be undertaken.

(g) Subsection (f) does not apply to a turnpike project or toll project located in a county to which an authority has transferred under Section 366.036 or leased, sold, or conveyed under Section 366.172:

(1) all turnpike projects of the authority that are located in the county; and

(2) all work product developed by the authority in determining the feasibility of the construction, improvement, extension, or expansion of a turnpike project to be located in the county.

SECTION 2. 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, 2011.