

AN ACT

relating to local government participation in the financing of turnpike projects.

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

SECTION 1. Subchapter I, Chapter 361, Transportation Code, is amended by adding Section 361.308 to read as follows:

Sec. 361.308. AGREEMENTS WITH LOCAL GOVERNMENTS. (a) In this section, "local government" means a:

(1) county, municipality, special district, or other political subdivision of this state;

(2) local government corporation created under Subchapter D, Chapter 431; or

(3) combination of two or more entities described by Subdivision (1) or (2).

(b) A local government may enter into an agreement with the department or a private entity under which the local government assists in the financing of the construction, maintenance, and operation of a turnpike project located in the government's jurisdiction in return for a percentage of the revenue from the project.

(c) A local government may use any revenue available for road purposes, including bond and tax proceeds, to provide financing under Subsection (b).

(d) An agreement under this section between a local

1 government and a private entity must be approved by the department.

2 (e) Revenue received by a local government under an
3 agreement under this section must be used for transportation
4 purposes.

5 SECTION 2. Subchapter G, Chapter 370, Transportation Code,
6 is amended by adding Section 370.317 to read as follows:

7 Sec. 370.317. AGREEMENTS WITH LOCAL GOVERNMENTS. (a) In
8 this section, "local government" means a:

9 (1) county, municipality, special district, or other
10 political subdivision of this state;

11 (2) local government corporation created under
12 Subchapter D, Chapter 431; or

13 (3) combination of two or more entities described by
14 Subdivision (1) or (2).

15 (b) A local government may enter into an agreement with an
16 authority or a private entity under which the local government
17 assists in the financing of the construction, maintenance, and
18 operation of a turnpike project located in the government's
19 jurisdiction in return for a percentage of the revenue from the
20 project.

21 (c) A local government may use any revenue available for
22 road purposes, including bond and tax proceeds, to provide
23 financing under Subsection (b).

24 (d) An agreement under this section between a local
25 government and a private entity must be approved by the department.

26 (e) Revenue received by a local government under an
27 agreement under this section must be used for transportation

1 purposes.

2 SECTION 3. This Act takes effect September 1, 2005.

David Newkum

President of the Senate

Jim Cullin

Speaker of the House

I certify that H.B. No. 2650 was passed by the House on April 19, 2005, by a non-record vote.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2650 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Patricia Spaw
Secretary of the Senate

APPROVED: 18 JUNE '05

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

JUN 18 2005
Roger Williams
Secretary of State