

Chapter 1247

H.B. No. 565

1 AN ACT

2 relating to powers of private toll project entities.

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

4 SECTION 1. Section 362.102, Transportation Code, is amended  
5 to read as follows:

6 Sec. 362.102. COMMISSION APPROVAL OF PRIVATE TURNPIKE OR  
7 TOLL PROJECT REQUIRED. Notwithstanding any other provision of law,  
8 a private entity may not construct a privately owned turnpike or  
9 toll project that connects to a road, bridge, or highway in the  
10 state highway system unless the commission approves the private  
11 turnpike or toll project as provided by this subchapter. Before the  
12 commission may approve a private turnpike or toll project, the  
13 commission must hold a public meeting concerning the project in the  
14 region in which the project will be located.

15 SECTION 2. Subchapter C, Chapter 362, Transportation Code,  
16 is amended by adding Sections 362.105 and 362.106 to read as  
17 follows:

18 Sec. 362.105. USE OF EMINENT DOMAIN BY TOLL ROAD  
19 CORPORATION. Notwithstanding Section 30, Chapter 766 (H.B. 749),  
20 Acts of the 72nd Legislature, Regular Session, 1991, a corporation  
21 that has the powers, rights, and privileges of a corporation  
22 created under former Chapter 11, Title 32, Revised Statutes, as  
23 that law existed on August 31, 1991, other than a corporation to  
24 which Section 431.073(c) applies, may not exercise the power of

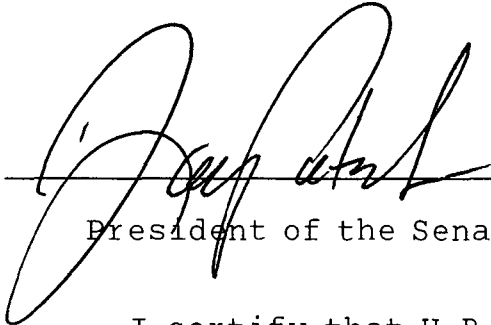
1 eminent domain granted under that former law.

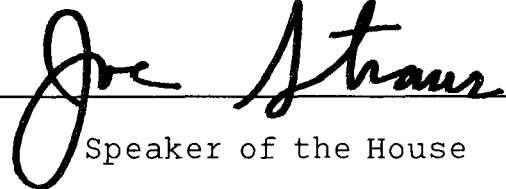
2 Sec. 362.106. AGREEMENT WITH TOLL PROJECT ENTITY. (a) In  
3 this section, "toll project entity" has the meaning assigned by  
4 Section 372.001.

5 (b) A private toll project entity may enter into an  
6 agreement with a public toll project entity to finance, construct,  
7 maintain, or operate a toll road.

8 SECTION 3. Section 362.102, Transportation Code, as amended  
9 by this Act, does not affect a turnpike or toll project approved by  
10 the Texas Transportation Commission before the effective date of  
11 this Act.

12 SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.

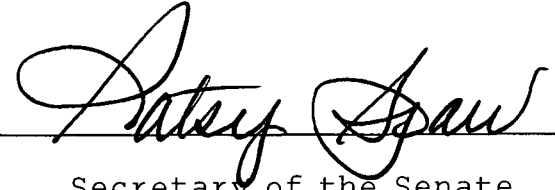
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 565 was passed by the House on May 4, 2015, by the following vote: Yeas 137, Nays 0, 3 present, not voting; and that the House concurred in Senate amendments to H.B. No. 565 on May 27, 2015, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 565 was passed by the Senate, with amendments, on May 25, 2015, by the following vote: Yeas 31, Nays 0.

  
\_\_\_\_\_  
Secretary of the Senate

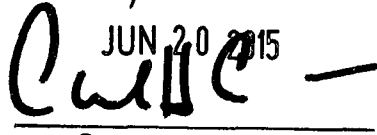
APPROVED: 6-20-2015

Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

2:00 pm O'CLOCK

  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 26, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB565** by Burkett (Relating to powers of private toll project entities. ), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, SD, EK

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 8, 2015**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB565 by Burkett (Relating to powers of private toll project entities.), As Engrossed

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, SD, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 13, 2015**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB565 by Burkett (Relating to powers of private toll project entities.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, SD, EK

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 18, 2015**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB565 by Burkett (Relating to powers of private toll project entities.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, SD, EK