

By: Miller

H.B. No. 2557

A BILL TO BE ENTITLED

AN ACT

relating to the development of certain local government transportation infrastructure projects.

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

SECTION 1. Section 172.001, Transportation Code, is amended by adding Subdivision (4-a) and amending Subdivision (7) to read as follows:

(4-a) "Intelligent transportation system" means:

(A) innovative or intelligent technological transportation systems, infrastructure, or facilities, including elevated freight transportation facilities:

(i) in proximity to, or within, an existing right-of-way on the state highway system; or

(ii) that connect land ports of entry to the state highway system;

(B) communications or information processing systems that improve the efficiency, security, or safety of freight movement on the state highway system, including improving the conveyance of freight on dedicated intelligent freight lanes; or

(C) a transportation facility or system that increases truck freight efficiencies in the boundaries of an intermodal facility or hub.

(7) "Rail facilities" means:

(A) passenger or freight rail facilities,

1 including:

2 (i) tracks;

3 (ii) a rail line;

4 (iii) switching, signaling, or other

5 operating equipment;

6 (iv) a depot;

7 (v) a locomotive;

8 (vi) rolling stock;

9 (vii) a maintenance facility; and

10 (viii) other real and personal property

11 associated with a rail operation;

12 (B) an intermodal hub;

13 (C) an automated conveyor belt for the movement

14 of freight;

15 (D) an intelligent transportation system that

16 operates with or as part of facilities described by Paragraphs

17 (A)-(C); or

18 (E) a system of facilities described by

19 Paragraphs (A)-(D) [~~property, or an interest in that property, that~~

20 ~~the board determines is necessary or convenient to provide a rural~~

21 ~~rail transportation system; and~~

22 ~~[(B) property or an interest necessary or~~

23 ~~convenient to acquire, provide, construct, enlarge, remodel,~~

24 ~~renovate, improve, furnish, use, or equip the system, including:~~

25 ~~[(i) a right-of-way,~~

26 ~~[(ii) an earthwork or structure, including~~

27 ~~clearing and grubbing of right-of-way, demolition of a structure,~~

~~relocation of utilities, a pipeline, or any other obstacle in a right-of-way, stripping and stockpiling, removal of subsoil for embankment or spoil, a borrow pit, dressing and seeding of a slope, construction of a culvert, a road crossing, a bridge, restoration of a roadway, drainage within a right-of-way or along a road network, and restoration of a hydrologic system,~~

~~[(iii) trackwork,~~

~~[(iv) a train control, including signalling, interlocking equipment, speed monitoring equipment, an emergency braking system, a central traffic control facility, and a communication system,~~

~~[(v) a passenger or freight service building, terminal, or station, a ticketing facility, a waiting area, a platform, a concession, an elevator, an escalator, a facility for handicapped access, an access road, a parking facility for passengers, a baggage handling facility, a local maintenance facility, and offices for district purposes and includes an interest in real property necessary or convenient for an item listed under this subparagraph,~~

~~[(vi) rolling stock, and~~

~~[(vii) a maintenance facility].~~

SECTION 2. Subchapter E, Chapter 172, Transportation Code, is amended by adding Section 172.211 to read as follows:

Sec. 172.211. REGIONAL MOBILITY AUTHORITY AND OTHER POWERS OF COUNTY, DISTRICT, AND NAVIGATION DISTRICT. (a) In this section:

(1) "Authority" means a regional mobility authority under Chapter 370.

1 (2) "Transportation project" has the meaning assigned
2 by Section 370.003.

3 (b) A county that is part of a district, acting through the
4 commissioners court or a local government corporation, may adopt an
5 order authorizing the exercise of the powers of an authority
6 without state approval, supervision, or regulation.

7 (c) On adoption of an order under Subsection (b), the county
8 and a navigation district located wholly in the county may:

9 (1) exercise the powers of an authority;

10 (2) develop a rail facility project as a qualifying
11 project under Chapter 2267, Government Code;

12 (3) on or before August 31, 2021, enter into
13 comprehensive development agreements for transportation projects,
14 using the process described by Sections 370.306 and 370.307; and

15 (4) issue bonds for transportation projects secured by
16 a pledge of the revenues of the project, including contract
17 revenue, grant revenue, or other revenue collected in connection
18 with the project.

19 (d) If each county that is part of a district adopts an order
20 described by Subsection (b), the district may exercise the powers
21 described by Subsection (c).

22 SECTION 3. Section 222.107(c), Transportation Code, is
23 amended to read as follows:

24 (c) The commissioners court of the county, after
25 determining that an area is unproductive and underdeveloped and
26 that action under this section would further the purposes described
27 by Section 222.105, by order or resolution may designate a

1 contiguous geographic area in the jurisdiction of the county to be a
2 transportation reinvestment zone to promote one or more
3 transportation projects. A county may designate the transportation
4 reinvestment zone to be coterminous with or otherwise include a
5 county assistance district created by the county under Chapter 387,
6 Local Government Code.

7 SECTION 4. Sections 222.110(a) and (b), Transportation
8 Code, are amended to read as follows:

9 (a) In this section:

10 (1) "Sales tax base" for a transportation reinvestment
11 zone means the amount of sales and use taxes imposed by a
12 municipality under Section 321.101(a), Tax Code, or by a county
13 under Chapter 323, Tax Code, including sales and use taxes imposed
14 by a county assistance district created by the county under Chapter
15 387, Local Government Code, as applicable, attributable to the zone
16 for the year in which the zone was designated under this chapter.

17 (2) "Transportation reinvestment zone" includes a
18 county energy transportation reinvestment zone.

19 (b) The governing body of a municipality or county may
20 determine, in an ordinance or order designating an area as a
21 transportation reinvestment zone or in an ordinance or order
22 adopted subsequent to the designation of a zone, the portion or
23 amount of tax increment generated from the sales and use taxes
24 imposed by a municipality under Section 321.101(a), Tax Code, or by
25 a county under Chapter 323, Tax Code, including sales and use taxes
26 imposed by a county assistance district created by the county under
27 Chapter 387, Local Government Code, attributable to the zone, above

1 the sales tax base, to be used as provided by Subsection
2 (e). Nothing in this section requires a municipality or county to
3 contribute sales tax increment under this subsection.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2017.