

FILED  
APR 11 2011

By: \_\_\_\_\_

\_\_\_\_.B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT


1  
2 relating to certain comprehensive development agreements of the  
3 Texas Department of Transportation.

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

5 SECTION 1. Subchapter E, Chapter 223, Transportation Code,  
6 is amended by adding Section 223.2011 to read as follows:

7 Sec. 223.2011. LIMITED AUTHORITY FOR CERTAIN PROJECTS USING  
8 COMPREHENSIVE DEVELOPMENT AGREEMENTS. Notwithstanding Sections  
9 223.201(f) and (i), the department may enter into a comprehensive  
10 development agreement relating to managed lane improvements to  
11 Interstate Highway 35E between Interstate Highway 635 and United  
12 States Highway 380.

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2011.



**DRAFT**

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1 AN ACT  
2 relating to certain comprehensive development agreements of the  
3 Texas Department of Transportation.

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

5 SECTION 1. Sections 223.201(h) and (i), Transportation  
6 Code, are amended to read as follows:

7 (h) Subsection (f) does not apply to a comprehensive  
8 development agreement that does not grant a private entity a right  
9 to finance a toll project or to a comprehensive development  
10 agreement in connection with:

11 (1) a project:

12 (A) [~~1~~] that includes one or more managed lane  
13 facilities to be added to an existing controlled-access highway;

14 (B) [~~2~~] the major portion of which is located  
15 in a nonattainment or near-nonattainment air quality area as  
16 designated by the United States Environmental Protection Agency;  
17 and

18 (C) [~~3~~] for which the department has issued a  
19 request for qualifications before May 1, 2007; or

20 (2) improvements to Interstate Highway 35E between  
21 Interstate Highway 635 and United States Highway 380.

22 (i) The authority to enter into a comprehensive development  
23 agreement for a project exempted from Subsection (f) or Section  
24 223.210(b) expires August 31, 2011, except that the authority to

1 enter into a comprehensive development agreement under Subsection  
2 (h)(2) expires August 31, 2013.

3           SECTION 2. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2011.