

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

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.