

## **BILL ANALYSIS**

C.S.H.B. 3467  
By: Canales  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Texas Department of Transportation (TxDOT) entered into a comprehensive development agreement to build segments 5 and 6 of State Highway 130 in 2007. It has been suggested that extending the term of the agreement for an additional 20 years would provide TxDOT an opportunity to secure additional transportation funding for transportation projects and air quality projects without having to raise taxes or impose new fees or tolls. C.S.H.B. 3467 seeks to do so by providing the opportunity for an amendment to the existing comprehensive development agreement.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3467 amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to amend a comprehensive development agreement entered into on or before March 22, 2007, for State Highway 130 from U.S. Highway 183 to Interstate Highway 10 (Segments 5 and 6) to extend the term of the agreement for an additional 20 years if the amendment does the following:

- outlines the benefit the state will derive from extending the term; and
- requires the private participant to provide funds to TxDOT in an amount agreed to by TxDOT and the private participant.

C.S.H.B. 3467 requires the amount of funds provided by the private participant to take into account a traffic and revenue study using the following:

- toll escalation rates consistent with the comprehensive development agreement and calculated based on the following:
  - the most recent gross state product forecasts published by the comptroller of public accounts; and
  - third-party market-based inflation forecasts produced by a nationally recognized government agency or financial institution; and
- transaction growth rates based exclusively on:
  - transaction growth rates since 2015 for the project that is the subject of the comprehensive development agreement;

- population growth forecasts for the counties in which the project that is the subject of the comprehensive development agreement is located, prepared by the metropolitan planning organizations in which the project is located; and
- long-term demographic forecasts based on the most recent state population forecasts published by the Texas Water Development Board.

C.S.H.B. 3467 requires the funds received by TxDOT from the private participant to be used by the Texas Transportation Commission or TxDOT to finance the construction, maintenance, or operation of transportation projects or air quality projects in the TxDOT districts located in the boundaries of the metropolitan planning organization in which the project that is the subject of the comprehensive development agreement is located. The bill requires TxDOT to allocate funds to TxDOT districts based on the percentage of toll revenue from users from each of those TxDOT districts.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3467 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a specification absent from the original that the amendment of a comprehensive development agreement to extend its term is performed by TxDOT.

Whereas the original required funds received from the private participant to be used by TxDOT to finance the construction, maintenance, or operation of transportation projects on the state highway system, the substitute requires those funds to be used instead by the commission or TxDOT to finance those projects or air quality projects in certain TxDOT districts. The substitute includes a requirement absent from the original for TxDOT to allocate funds to TxDOT districts based on the percentage of toll revenue from users from each of those TxDOT districts.