

- SUBJECT:** Extending an existing comprehensive development agreement
- COMMITTEE:** Transportation — committee substitute recommended
- VOTE:** 11 ayes — Canales, E. Thompson, Ashby, Bucy, Davis, Lozano, Martinez, Ortega, Perez, Rogers, Smithee
- 0 nays
- 2 absent — Harris, Landgraf
- WITNESSES:** For — Patrick Rose, Greater San Marcos Partnership; Deirdre Delisi and Brian Cassidy, SH 130 Concession Company LLC; (*Registered, but did not testify*: Hoppy Haden, Caldwell County; Jessica Inacio, Greater San Marcos Partnership; Dana Harris, The Greater Austin Chamber of Commerce)
- Against — Terri Hall, Texas TURF, Texans for Toll-free Highway, Campaign for Liberty, True Texas Project; Don Dixon; Jack M. Finger; McKenna Hall; (*Registered, but did not testify*: Tracy Schieffer, A.L. Helmcamp, Inc.; Steven Albright, Associated General Contractors of Texas-Highway Heavy Utility and Industrial Branch; Gerald Welty, Convention of States; Charles Lewis, Fran Rhodes, and Sheena Rodriguez, True Texas Project; Auburne Gallagher, TTP; and seven individuals)
- On — (*Registered, but did not testify*: James Bass, Texas Department of Transportation)
- BACKGROUND:** It has been suggested that extending a comprehensive development agreement to build Segments 5 and 6 of State Highway 130 entered into by the Texas Department of Transportation in 2007 for an additional 20 years would provide the department an opportunity to secure additional funding for transportation and air quality projects without having to raise taxes or impose new fees or tolls.

DIGEST:

CSHB 3467 would require the Texas Department of Transportation (TxDOT) to amend a comprehensive 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 outlined the benefit the state would derive from extending the term and required the private participant to provide funds to TxDOT in an amount agreed between the parties.

The amount of such funds would have to take into account a traffic and revenue study using toll escalation rates consistent with the comprehensive development agreement and calculated based on the most recent gross state product forecasts published by the comptroller and third-party market-based inflation forecasts produced by a nationally recognized government agency or financial institution. The study would also have to use transaction growth rates based only on:

- transaction growth rates since 2015 for the project under the comprehensive development agreement;
- population growth forecasts for the counties in which that project was located, prepared by the appropriate metropolitan planning organization; and
- long-term demographic forecasts based on the most recent state population forecasts published by the Texas Water Development Board.

Funds provided to TxDOT under the comprehensive development agreement would have to be used by the Texas Transportation Commission or TxDOT to finance transportation or air quality projects in the department districts located in the boundaries of the metropolitan planning organization in which the project under the agreement was located. TxDOT would have to allocate funds to the department districts based on the percentage of toll revenue from users from each district.

The bill would take effect September 1, 2021.

NOTES:

According to the Legislative Budget Board, because the amount of funds that would be provided to TxDOT by the private participant under the agreement required by the bill would be unknown, the fiscal implications of the bill could not be determined.