

BILL ANALYSIS

Senate Research Center
79R5580 JTS-F

S.B. 755
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Transportation & Homeland Security
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Texas State Infrastructure Bank (SIB) was capitalized with federal funds that have not been replenished. The Texas SIB is subscribed with highway projects and subject to limitations of fund dedications. Current statute is not clear about the ability to lend SIB funds to local governments. Federal law allows states to create state-funded SIBs or contribute state funds to SIB subaccounts in a way that frees those funds from federal requirements and extends the ability of the SIB to fund transportation facilities, but Texas law is not worded to authorize such actions.

As proposed, S.B. 755 creates a state-funded SIB program for eligible transportation projects that can be applied to on- and off-system highway projects and multimodal transportation including public transit.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222.072(b), Transportation Code, to provide that, in addition to other funds listed in this section, other state funds deposited into the state infrastructure bank (bank) by order of the Texas Transportation Commission (commission) may be deposited into the bank and used only for the purpose described in this subchapter. Deletes existing text which included money saved as a result of contracting with a private entity for maintenance and repair of Texas Department of Transportation vehicles as funds to be deposited and spent in accordance with this subchapter.

SECTION 2. Amends Section 222.073, Transportation Code, as follows:

Sec. 222.073. PURPOSES OF INFRASTRUCTURE BANK. Requires the commission, notwithstanding any provision of Section 222.001 (Use of State Highway Fund) to the contrary, to use money deposited in the bank for certain purposes, including encouraging public and private investments in transportation facilities that are not part of the state highway system.

SECTION 3. Amends Section 222.076, Transportation Code, as follows:

Sec. 222.076. SEPARATE SUBACCOUNTS. (a) Creates this subsection from existing text.

(b) Authorizes the commission to create one or more subaccounts that are capitalized exclusively with state funds. Provides that subaccounts capitalized exclusively with state funds are not subject to the federal act.

SECTION 4. Amends Sections 222.077(a) and (c), Transportation Code, as follows:

(a) Requires terms for repayment of a disbursement from a subaccount other than a subaccount described by Section 222.076(b) to comply with the Section 350 of the National Highway Designation Act of 1995 (federal Act). Requires the commission to

administer the state infrastructure bank account in compliance with applicable requirements of the federal act and any applicable federal regulation or guideline.

SECTION 5. Effective date: upon passage or September 1, 2005.