

## **BILL ANALYSIS**

Senate Research Center

H.B. 2134  
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Engrossed

### **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 state's ability to lend SIB funds to local governments.

H.B. 2134 creates a state-funded SIB program for eligible transportation projects that can be applied to on-system and off-system highway projects and multimodal transportation.

### **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, by authorizing federal funds received by the state under Section 350 of the National Highway System Designation Act of 1995 (federal act), matching state funds in an amount required by that act, proceeds from bonds issued under Section 222.075, secondary funds, other state funds deposited into the bank by order of the Texas Transportation Commission (TTC), and other money received by the state that is eligible for deposit to be deposited into the state infrastructure bank (bank) and used only for the purposes described in this subchapter. Deletes existing text relating to money saved as a result of contracting with a private entity for maintenance and repair serves for department vehicles as a source of funding for the bank.

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

Sec. 222.073. PURPOSES OF INFRASTRUCTURE BANK. Requires TTC, notwithstanding Section 222.001, to use money deposited in the bank to encourage public and private investment in transportation facilities both within and outside of the state highway system.

SECTION 3. Amends Section 222.074, Transportation Code, by adding Subsection (c), as follows:

(c) Requires financial assistance to a public or private entity under Subsection (a) to be limited, as applicable, to a qualified project that is consistent with the transportation plan developed by the metropolitan planning organization.

SECTION 4. Amends Section 222.076, Transportation Code, as follows:

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

(b) Authorizes TTC, in addition to the subaccounts under Subsection (a), to create one or more subaccounts that are capitalized with state funds only. Provides that subaccounts capitalized with state funds only are not subject to the federal act.

SECTION 5. Amends Sections 222.077(a) and (c), Transportation Code, as follows:

(a) Requires any funds disbursed through the state infrastructure bank to be repaid on terms determined by TTC. Requires the terms to comply with the federal act except for terms applicable to funds deposited in a subaccount described by Section 222.076(b).

(c) Requires TTC to administer the bank in compliance with applicable requirements of the federal act and any applicable federal regulation or guideline.

SECTION 6. Effective date: upon passage or September 1, 2005.