

BILL ANALYSIS

Senate Research Center
81R5094 MTB-F

H.B. 3070
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Transportation & Homeland Security
5/15/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 77th Legislature enacted legislation that enabled Denton County to create a coordinated county transportation authority under Chapter 460 (Coordinated County Transportation Authorities), Transportation Code. As the Denton County Transportation Authority expands its public transportation services in Denton County, it needs access to the same resources available to other transportation services in the Dallas-Fort Worth area.

H.B. 3070 relates to the administration and powers of a coordinated county transportation authority.

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 460.502, Transportation Code, by amending Subsection (d) and adding Subsection (e), as follows:

(d) Prohibits a bond any portion of which is secured by a pledge of sales and use tax revenues and that has a maturity of five years or longer from the date of issuance from being issued by a coordinated county transportation authority (authority) until an election has been held in the municipalities in which the authority has been authorized to impose a sales and use tax and the proposition proposing the issue has been approved by a majority of the votes received on the issue. Deletes existing text prohibiting a bond any portion of which is secured by a pledge of sales and use tax revenues and that has a maturity of five years or longer from the date of issuance from being issued by an authority until an election has been held and the proposition proposing the issue has been approved by a majority of the votes received on the issue in accordance with the provisions established for the authorization of a tax levy under Subchapter C.

(e) Provides that Subsection (d) does not apply to the issuance of refunding bonds or bonds described by Subsection (b)(2) (relating to authorizing the bonds to be issued as necessary for the creation or funding of self-insurance or retirement or pension fund reserves).

SECTION 2. Amends Section 460.506, Transportation Code, to authorize an authority created under this chapter, to secure the payment of the authority's bonds, to mortgage any part of the public transportation system regardless of when acquired.

SECTION 3. Amends Subchapter G, Chapter 460, Transportation Code, by adding Section 460.509, as follows:

Sec. 460.509. OBLIGATIONS AND CREDIT AGREEMENTS. Authorizes an authority to issue obligations and enter into credit agreements under Chapter 1371 (Obligations for Certain Public Improvements), Government Code.

SECTION 4. Amends Section 1371.001(4), Government Code, to redefine "issuer."

SECTION 5. (a) Provides that any act or proceeding of a coordinated county transportation authority is validated as of the date it occurred.

(b) Provides that this Act does not validate any governmental act or proceeding that, under the law of this state at the time the act or proceeding occurred, was a misdemeanor offense or a felony offense.

SECTION 6. Effective date: September 1, 2009.