

BILL ANALYSIS

Senate Research Center
87R7500 SRA-F

S.B. 762
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, certain regional transportation authorities (RTA) may enter into financial agreements with non-governmental entities to encourage private investment with a transportation authority, provided certain conditions are met. These agreements allow RTAs to invest in their local communities by partnering with the private sector for mixed used development to provide retail, office, and housing around the transit station. However, the current statute limits the ability to enter into these agreements to subregional boards created under Subchapter O.

S.B. 762 amends Section 452.108, Transportation Code, by adding a reference to Subchapter N so that the existing language regarding private investment applies to all subregional boards created under this chapter. The effect of this would be to grant Trinity Metro the same authority to enter into public-private partnerships that is currently granted to Dallas Area Rapid Transit.

As proposed, S.B. 762 amends current law relating to the powers of certain regional transportation authorities.

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 Sections 452.108(c) and (d), Transportation Code, as follows:

(c) Prohibits an authority consisting of one subregion governed by a subregional board created under Subchapter N (Subregional Board in Authority Having No Municipality with Population of More than 1.1 Million) or O (Subregional Board in Subregion Having Principal Municipality with Population of More than 1.1 Million), rather than under Subchapter O, except as provided by Subsection (d), from entering a lease or financing agreement secured wholly or partially by the assets of the authority under certain circumstances.

(d) Authorizes an authority consisting of one subregion governed by a subregional board created under Subchapter N or O, rather than under Subchapter O, in order to provide tax benefits to another party that are available with respect to property under the laws of a foreign country or to encourage private investment with a transportation authority in the United States, and notwithstanding any other provision of Chapter 452 (Regional Transportation Authorities), to enter into and execute, as it considers appropriate, certain agreements.

SECTION 2. Effective date: upon passage or September 1, 2021.