

By: Capriglione

H.B. No. 2870

A BILL TO BE ENTITLED

AN ACT

relating to confidentiality of information related to toll projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 371.052(d), Transportation Code, is repealed.

SECTION 2. The changes in law made by this Act apply only to a comprehensive development agreement for which a request for proposals is issued on or after the effective date of this Act. A comprehensive development agreement for which a request for proposals was issued before the effective date of this Act is governed by the law in effect on the day the request was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Comment [.1]: Current law effectively keeps toll viability studies SECRET from the public.

Comment [.2]: REPEALING:
Transp Code 371.052(d):
NOTIFICATION TO LEGISLATIVE BUDGET BOARD.
(d) Before the comprehensive development agreement is entered into, **financial forecasts and traffic and revenue reports** prepared by or for a toll project entity for the project **are confidential and are not subject to disclosure, inspection, or copying** under Chapter 552, Government Code. On or after the date the comprehensive development agreement is entered into, the financial forecasts and traffic revenue reports are public information under Chapter 552, Government Code.
[See below]

[GOVERNMENT CODE 552 is: OPEN GOVERNMENT; ETHICS PUBLIC INFORMATION]

LBB Fiscal Statement:
"No fiscal implication to the State is anticipated."