

SAMCo Members and Partners:

Please see attached the latest version of SAMCo's legislative tracking sheet updated through Friday, April 21, 2023. Key developments:

- 1) Biennial Budget (HB 1/SB 1) – Both the Senate and House have passed their respective versions of the biennial budget (HB 1/SB 1) and appointed conferees on April 20 to iron out differences in the two budgets. TxDOT appears poised to receive a 22 percent increase in funding for the biennium primarily due to higher levels of projected revenue from Proposition 1, Proposition 7, and federal funding. The big questions is whether conferees can reconcile key Senate/House differences on property taxes, education funding, and other non-TxDOT issues – or does the budget bounce to a special session?
- 2) Proposition 1 Extension/Elimination (SB 1232/HB 2230) – Legislation to extend the Proposition 1 expiration date from 2034 to 2042 (SB 1232 - Nichols) passed the Senate April 18 on a 31-0 vote. HB 2230 (Canales) that eliminates the Proposition 1 expiration date was reported favorably from House Appropriations on April 20. The bill will next be considered in Calendars and could make its way to the House floor late next week or the following week. A one-pager is being developed by TAoT to encourage House support. We will notify SAMCo members when a date for the House Floor vote has been set. While there is a difference between an extension v. and elimination, we expect that to be reconciled at some point.
- 3) Proposition 7 Extension (SCR 2/HCR 47) – SCR 2 (Nichols) to extend the Proposition 7 expiration date to 2042 (general sales taxes) and 2039 (vehicle sales tax) passed the Senate by a 31-0 vote on April 17. The resolution was then received from the House and referred to Appropriations, which reported the resolution favorably on 4/20/23. We expect this legislation to reach the House floor in the coming days. A one-pager is being developed by TAoT to encourage House support. We will notify SAMCo members when a date for the House Floor vote has been set.
- 4) Electric Vehicle Road Use Fee (SB 505/HB 2199) – HB 2199 (Canales) is expected to reach the House floor the first week of May after being voted out of Transportation on a 12-0 vote. The companion bill SB 505 (Nichols) was approved 31-0 by the Senate on March 29. Both bills establish a \$200 additional annual registration fee for electric vehicles to make up for loss of gas tax revenue. A one-pager on the bill is being prepared by Transportation Advocates of Texas (TAoT) and will be distributed to SAMCo and TAoT participants once the date for House consideration has been set.
- 5) Expanded Authority for TxDOT re. Military Installations (HB 4140) – HB 4140 (Lujan) to expand authority for TxDOT to provide services for military installations has been placed on the General State Calendar (House) for April 25, 2023. The bill is co-sponsored by several legislators from the San Antonio region (Ray Lopez, Philip Cortez, etc.). The SAMCo Board of Directors added HB 4140 to our list of support items during the April 14 SAMCo Board of Directors meeting. We will be contacting other members of the Bexar delegation on Monday to encourage support.
- 6) SH 130 Connector (SB 1071/HB 2795) – HB 2795 (Canales) has been placed on the General State Calendar (House) for April 26 after being voted out of Transportation on an 8-3 vote. An updated one-pager is being prepared that will be shared with us on Monday. We will forward to SAMCo members and encourage support among our local delegation.

Just five weeks remaining in the session. More details provided in the attachment.

Thank you, all!

Vic

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SAMCo Legislative Tracking Sheet – 2023 Regular Session

Updated: April 21, 2023

Prepared By: Victor M. Boyer, President & CEO, San Antonio Mobility Coalition (SAMCo)

TxDOT General Fund Budget – Preserve/Expand Existing Funding Streams; Continue Non-Diversion Policy

SB 1 (Huffman) – General Appropriations Bill. As introduced, SB 1 provides \$35.56 billion in funding for TxDOT for the 2024-2025 biennium compared with \$30.35 billion as budgeted for the 2022-2023 biennium. Proposition 1 revenue is estimated to total \$5.4 billion for the biennium, while Proposition 7 is estimated to total \$6.1 billion, both at record levels. Federal funds and reimbursements are budgeted at \$12.84 billion for the biennium. Traditional revenue from the gas tax and registration fees are budgeted at \$8.2 billion. [Link to Text and Bill Info](#) *Status:* Introduced 1/18/23. Referred to Finance 1/24/23. Hearing held on Texas Department of Transportation biennial budget 2/14/23. See below as key provisions of the Senate budget have been incorporated into the Senate Substitute for HB 1. *SAMCo Position:* Supports continuation and expansion of the current transportation funding framework, including full funding of Propositions 1 and 7 and no diversions from the State Highway Fund.

HB 1 (Bonnen) – General Appropriations Bill. As introduced, HB 1 provides \$35.56 billion in funding for TxDOT for the 2024-2025 biennium compared with \$30.35 billion as budgeted for the 2022-2023 biennium. Proposition 1 revenue is estimated to total \$5.4 billion for the biennium, while Proposition 7 is estimated to total \$6.1 billion, both at record levels. Federal funds and reimbursements are budgeted at \$12.84 billion for the biennium. Traditional revenue from the gas tax and registration fees are budgeted at \$8.2 billion. [Link to Text and Bill Info](#) *Status:* Introduced 1/18/23. Hearing held in Appropriations 2/15/23. Hearing set before Appropriations Subcommittee 2/21/23. Hearing held before the Appropriations Committee on 3/23/23. Reported favorably as substituted 3/23/23. As passed by the Committee, TxDOT revenue was adjusted upward to \$37.13 billion for the biennium, including \$6.8 billion for Proposition 1 and \$6.4 billion for Proposition 7. Scheduled for floor vote on 4/6/23. Passed House by vote of 86-52 on 4/6/23. Referred to Senate Finance 4/11/23. Hearing held and reported favorably as substituted 4/12/23. Placed on intent calendar 4/13/23. Passed Senate 4/17/23. Senate and House appoint conferees 4/20/23. *SAMCo Position:* Supports continuation and expansion of the current transportation funding framework, including full funding of Propositions 1 and 7 and no diversions from the State Highway Fund.

Proposition 1 – Eliminate Expiration Date

SB 225 (Nichols) – Eliminates the December 31, 2034 expiration date for Proposition 1. [Link to Text and Bill Info](#) *Status:* Introduced 11/15/22. Referred to Finance 2/15/23. *SAMCo Position:* Supports.

SB 1232 (Nichols) – Extends the December 31, 2034 expiration date for Proposition 1 to 2042. [Link to Text and Bill Info](#) *Status:* Introduced 3/3/23. Referred to Finance 3/9/23. Hearing held 4/3/23. SAMCo registered in support and encouraged others in SAMCo and TAoT to do the same. 22 individuals registered in support of the bill; none opposed. Reported favorably 4/12/23 by vote of 17-0. Placed on Senate intent calendar for 4/17/23. Passed Senate by vote of 31-0 on 4/18/23. Referred to Appropriations 4/19/23. *SAMCo Position:* Supports.

HB 2230 (Canales) – Eliminates the December 31, 2034 expiration date for Proposition 1. [Link to Text and Bill Info](#) *Status:* Introduced 2/13/23. Referred to Appropriations 3/9/23. Hearing held 4/17/23. Numerous individuals from SAMCo and TAoT registered in support. Reported favorably 4/20/23. Action by Calendars expected soon. *SAMCo Position:* Supports.

Proposition 7 – Extend Expiration Date

SCR 2 (Nichols) – Extends Proposition 7 funding from general sales taxes to 2042 and extends Proposition 7 funding from motor vehicle sales taxes until 2039. These provisions currently expire in 2032 and 2029, respectively. [Link to Text and Bill Info](#) *Status:* Introduced 11/14/22. Referred to Transportation 02/15/23. Hearing held 3/29/23. SAMCo registered in support of the bill and encouraged others in SAMCo and TAOt to do the same. There were 24 supportive witness cards. Reported favorably by a vote of 9-0 on 3/29/23. Placed on Senate intent calendar 4/13/23. Passed Senate by vote of 31-0 on 4/17/23. Received in House 4/18/23. Referred to Appropriations 4/19/23. Reported favorably 4/20/23. *SAMCo Position:* Supports.

HCR 47 (Canales) – Companion to SCR 2. Extends Proposition 7 funding from general sales taxes to 2042 and extends Proposition 7 funding from motor vehicle sales taxes until 2039. These provisions currently expire in 2032 and 2029, respectively. [Link to Text and Bill Info](#) *Status:* Introduced 2/13/23. Referred to Appropriations 3/2/23. Hearing held 4/17/23. Numerous individuals from SAMCo and TAOt registered in support. *SAMCo Position:* Supports.

State Gasoline and Diesel Taxes

SB 254 (Eckhardt) – Increases the state’s gasoline and diesel taxes from 20 to 40 cents per gallon. [Link to Text and Bill Info](#) *Status:* Introduced 12/1/22. Referred to Finance 2/15/23. *SAMCo Position:* Supports.

HB 321 (Lopez) – Indexes the state’s gasoline and diesel taxes to the Highway Cost Index (HCI) providing annual increases/decreases based upon the index. [Link to Text and Bill Info](#) *Status:* Introduced 12/1/22. Referred to Ways & Means 2/23/23. *SAMCo Position:* Supports.

Fee In Lieu of Gas Tax for Electric Vehicles

SB 505 (Nichols) – Imposes an additional annual registration fee of \$400 for new electric vehicles (two-year initial registration) and \$200 for other annual registrations and renewals of electric vehicles. All fees collected to be deposited to the credit of the state highway fund. [Link to Text and Bill Info](#) *Status:* Introduced 1/19/23. Referred to Transportation 2/17/23. Hearing held 3/22/23. Vic Boyer testified on behalf of both TAOt and SAMCo. 30 registered in support with 0 against. Recommended for local and uncontested calendar 3/22/23. Placed on intent calendar 3/27/23. Passed Senate by a vote of 31-0 on 3/29/23. Referred to House Transportation 4/3/23. *SAMCo Position:* Supports. Encouraged SAMCo and TAOt members to submit supportive witness cards for the 3/22/23 hearing.

HB 820 (King of Hemphill) – Imposes an additional annual registration fee of \$200 for electric vehicles and \$100 for hybrid vehicles with 90 percent of the revenue collected to be deposited to the state highway fund and 10 percent to an electric vehicle battery disposal account. [Link to Text and Bill Info](#) *Status:* Introduced 11/29/22. Referred to Transportation 3/1/23. Scheduled for hearing on Wednesday, April 5, 10:30 AM or upon adjournment in E2.036. *SAMCo Position:* Supports general concept but will focus on Chair Canales’ version (SB 2199) to be heard during the same hearing which is identical to SB 505 that passed the Senate on 3/29/23.

HB 960 (Jetton) – Imposes an additional annual registration fee of \$100 for electric vehicles with all revenue collected to be deposited to the state highway fund. [Link to Text and Bill Info](#) *Status:* Introduced 12/09/22. Referred to Transportation 3/2/23. *SAMCo Position:* Supports.

HB 2027 (Dean) – Imposes a road use tax of \$1,200 on the retail sale of electric vehicles with all revenue collected to be allocated in the same manner as the gas tax. [Link to Text and Bill Info](#) *Status:* Introduced 2/8/23. Referred to Transportation 3/8/23. Scheduled for hearing on Wednesday, April 5, 10:30 AM or upon adjournment in E2.036. *SAMCo Position:*

HB 2028 (Dean) – Imposes a motor fuel tax recovery fee for registration of electric vehicles with all revenue collected to be allocated in the same manner as the gas tax. The fee would be no less than \$300 per year to be adjusted every five years by the department. [Link to Text and Bill Info](#) *Status*: Introduced 2/8/23. Referred to Transportation 3/8/23. Scheduled for hearing on Wednesday, April 5, 10:30 AM or upon adjournment in E2.036. *SAMCo Position*: Supports general concept but will focus on Chair Canales’ version (SB 2199) to be heard during the same hearing which is identical to SB 505 that passed the Senate on 3/29/23.

HB 2199 (Canales) – Imposes an additional annual registration fee of \$400 for new electric vehicles (two-year initial registration) and \$200 for other annual registrations and renewals of electric vehicles. All fees collected to be deposited to the credit of the state highway fund. Companion bill to SB 505. [Link to Text and Bill Info](#) *Status*: Introduced 2/13/23. Referred to Transportation 3/9/23. Hearing held 4/5/23 Wednesday. SAMCo and TAoT registered in support. Reported favorably 4/12/23 by 12-0 vote. Sent to Calendars on 4/17/23. Will likely head to the House floor during the first week of May. *SAMCo Position*: Supports.

Optional Vehicle Registration Fee – Counties in Alamo Area MPO Region

HB 992 (Lopez) – Adds Bexar County to the list of counties eligible for the additional \$20 vehicle registration fee. Note: Bexar County already has the first \$10 additional registration fee in place. The bill would allow an increase from \$10 to \$20. [Link to Text and Bill Info](#) *Status*: Introduced 12/13/22. Referred to Transportation 3/2/23. *SAMCo Position*: Supports.

Connector IH 35 to SH 130

SB 1071 (Campbell) – Extends the existing concession agreement (CDA) for SH 130 (Segments 5 and 6) by up to 20 years in exchange for funding to TxDOT to build a non-toll connector highway between IH 35 and SH 130. [Link to Text and Bill Info](#) *Status*: Introduced 2/21/23. *SAMCo Position*: Supports; will review specifics of any committee substitute.

HB 2795 (Canales) – Extends the existing concession agreement (CDA) for SH 130 (Segments 5 and 6) by up to 20 years in exchange for funding to TxDOT to build a non-toll connector highway between IH 35 and SH 130. Companion bill to SB 1071. [Link to Text and Bill Info](#) *Status*: Introduced 2/24/23. Referred to Transportation 3/13/23. Public hearing held 3/29/23. SAMCo registered in support of the bill and encouraged others to do the same. Fifteen testified for; 8 against. Reported favorably (8-3) on 4/5/23. Placed on General State Calendar for 4/26/23. *SAMCo Position*: Supports; will review specifics of any committee substitute.

Study of Future Transportation Funding Needs

HB 1638 (Canales) – Requires the Texas Department of Transportation to appoint a Blue-Ribbon Committee and work with the Texas Transportation Institute to conduct a comprehensive study of state, regional and local transportation needs to the year 2045, including changes in technology, funding gaps, and related factors. The report is to be submitted to the legislature by December 1, 2024. [Link to Text and Bill Info](#) *Status*: Introduced 1/25/23. Referred to Transportation 3/7/23. Hearing scheduled for 3/22/23. Hearing not held 3/22/23. *SAMCo Position*: Supports.

Other Bills of Interest

SJR 37 (Miles) – Proposes a constitutional amendment to permit additional uses for money transferred from the general revenue fund to the state highway fund (Proposition 1) including public transit, public bicycle paths, and public sidewalks. [Link to Text and Bill Info](#) *Status*: Introduced /26/23. Referred to Transportation 2/17/23. *SAMCo Position*: Evaluating.

SB 1110 (Schwertner) – Would restrict use of municipally-owned utility revenue by the municipality. As drafted has the potential to eliminate more than 25 percent of the City of San Antonio’s General Fund Revenue potentially impacting the City’s credit rating, the ability of the City to pursue infrastructure projects, future bond programs, etc. [Link to Text and Bill Info](#) *Status*: Introduced 2/22/23. Referred to Business & Commerce 3/9/23. Public hearing held 3/21/23. SAMCo provided a witness card in opposition. *SAMCo Position*: Opposes.

SB 2219 (Blanco) – Requires the Commission to establish a funding category for ports of entry including projects in the Texas-Mexico Border Transportation Plan. [Link to Text and Bill Info](#) *Status*: Introduced 3/10/23. Referred to Transportation 3/30/23. *SAMCo Position*: Evaluating.

HJR 77 (Walle) – Proposes a constitutional amendment to permit additional uses for money transferred from the general revenue fund to the state highway fund (Proposition 1) including public transit, public bicycle paths, and public sidewalks. [Link to Text and Bill Info](#) *Status*: Introduced 1/17/23. Referred to Transportation 3/3/23. *SAMCo Position*: Evaluating.

HJR 111 (Landgraf) – Proposes a constitutional amendment providing for the creation of the Texas severance tax revenue and oil and natural gas (Texas STRONG) defense fund and dedicates certain revenues to areas of the state significantly impacted by oil and gas production. Reduces the allocation of severance taxes to the economic stabilization fund from 50 to 38 percent; allocates 10 percent to the STRONG fund, and 2 percent to two other funds. As drafted, retains the 50 percent allocation to the state highway fund. Establishes a grant program from STRONG funds to political subdivisions, higher education institutions, etc. [Link to Text and Bill Info](#) *Status*: Introduced 1/17/23. Referred to Appropriations 3/13/23. Scheduled for hearing 4/17/23. Reported favorably 4/20/23. *SAMCo Position*: Evaluating. Watch closely for any amendments to the 50 percent allocation to the state highway fund.

HJR 144 (Canales) – Proposes a constitutional amendment authorizing money in the state highway fund for roadways for seaports, airports, spaceports, land ports of entry, and international bridges. [Link to Text and Bill Info](#) *Status*: Introduced 3/3/23. Referred to Transportation 3/13/23. Reported favorably 4/5/23. Placed on Constitutional Amendments Calendar 4/20/23. Adopted as amended 4/20/23. *SAMCo Position*: No position taken following review by SAMCo Legislative Committee on 3/20/23.

HJR 204 (Bucy) – Proposes a constitutional amendment authorizing use of the state highway fund for transit-oriented projects. [Link to Text and Bill Info](#) *Status*: Introduced 3/10/23. Referred to Transportation 3/24/23. *SAMCo Position*: Evaluating.

HB 1392 (Craddick) – Permits allocation of a portion of oil and gas severance taxes (Proposition 1) to a Grow Texas Fund – with potentially less funding for the state highway fund. The Grow Texas Fund would be used to provide grants for road construction & maintenance, schools, health care facilities, and other infrastructure in areas of the state the commission determines to be significantly affected by oil and gas production. Scheduled for hearing 4/17/23. [Link to Text and Bill Info](#) *Status*: Introduced 1/18/23. Referred to Appropriations 3/3/23. Reported favorably 4/20/23. *SAMCo Position*: Evaluating.

HB 2207 (Landgraf) – Enabling legislation for HJR 111 above. [Link to Text and Bill Info](#) *Status*: Introduced 2/13/23. Referred to Appropriations 3/9/23. Scheduled for hearing 4/17/23. Reported favorably 4/20/23. *SAMCo Position*: Evaluating. See note above for HJR 111.

HB 2832 (Reynolds) – Establishes a multi-modal project revolving fund to be capitalized from appropriations, bonds, and other sources for qualified local governments, port authorities and special districts. Qualified projects must enhance connectivity between marine ports, airports, inland ports, and the state highway system, including projects that deepen or widen a ship channel. Allows the Commission to issue revenue bonds of 50 or 100 years. [Link to Text and Bill Info](#) *Status*: Introduced 2/24/23. *SAMCo Position*: Evaluating.

HB 3270 (Ortega) – Authorizes TxDOT to allocate Category 12 funding to projects included in the Texas-Mexico Border Transportation Master Plan. [Link to Text and Bill Info](#) *Status*: Introduced 3/3/23. Referred to Transportation 3/16/23. *SAMCo Position*: Evaluating.

HB 3418 (Canales) – Authorizes implementation by TxDOT of a vehicle mileage user fee pilot program and a task force to assist in developing and evaluating the program. [Link to Text and Bill Info](#) Status: Introduced 3/3/23. Referred to Transportation 3/16/23. Hearing held 3/29/23. 1 supportive witness; 13 opposed. 12 registered in support; 13 against. Reported favorably as substituted by vote of 10-1 on 4/5/23. Committee report sent to Calendars 4/17/23. SAMCo Position: Supports a broad-based fee. Opposes bill as drafted focuses exclusively on commercial vehicles. Communicated SAMCo’s concerns to House Transportation Committee staff on 3/24/23.

HB 3805 (Canales) – Requires TxDOT to establish by rule a UTP programming category for projects related to border security and international trade corridors. Projects must be within sixty miles of a Texas-Mexico border crossing. [Link to Text and Bill Info](#) Status: Introduced 3/7/23. Referred to Transportation 3/20/23. Hearing held 3/29/23. Reported favorably as substituted 4/5/23. Passed House 4/18/23. Referred to Transportation 4/19/23. SAMCo Position: Evaluating.

HB 3812 (Jetton) – Establishes a Texas Infrastructure Fund to be funded from appropriations and interest for the comptroller to award grants to public/private entities for infrastructure projects - water, rail, broadband, highways, toll roads, aviation, rail, transit, etc. Establishes an oversight committee (Governor, Lt. Governor, Speaker, TxDOT Executive Directors, and others). To support public-private partnerships under certain conditions. Comptroller to develop rules, eligibility criteria, etc. [Link to Text and Bill Info](#) Status: Introduced 3/7/23. Referred to State Affairs 3/20/23. SAMCo Position: Evaluating.

HB 3899 (Troclair) – Restricts ability of transit systems to make use of property tax revenue for bonding projects. [Link to Text and Bill Info](#) Status: Introduced 3/7/23. Referred to Pensions, Investments, and Financial Services. Hearing held 4/5/23. Reported favorably as substituted 4/17/23. SAMCo registered against the bill. SAMCo Position: Opposed. See also companion bill SB 1791.

HB 4140 (Lujan) – Expands authority for TxDOT to enter into agreements with USDOD or other federal entities to assist with provision of any department services including road maintenance, improvement, relocation, or extension services for military installations. [Link to Text and Bill Info](#) Status: Introduced 3/8/23. Referred to Transportation 3/21/23. Hearing held 4/15/23. The SA Chamber testified in support. Reported favorably 4/12/23. Placed on General State Calendar (House) for 4/25/23.. SAMCo Position: Supports.

HB 5215 (Bucy) – Enabling legislation for HJR 204. [Link to Text and Bill Info](#) Status: Introduced 3/7/23. Referred to Transportation 3/24/23. SAMCo Position: Evaluating.