

CHAPTER 484

H.B. No. 1942

AN ACT

relating to the allocation and distribution of money in the public transportation fund.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 3, Chapter 679, Acts of the 64th Legislature, 1975 (Article 6663c, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 3. FORMULA PROGRAM. (a) The commission shall administer the formula program. Except as provided by Subsection (j) [(4)] of this section, at the beginning of each fiscal biennium of the state, the commission shall allocate to urbanized, urban, and rural areas on the basis of a formula program, an amount equal to the amount appropriated from all sources to the commission by the legislature for that biennium for public transportation, other than federal funds and amounts specifically appropriated for coordination, technical support, or other costs of administration. Amounts that are appropriated and that are required to be allocated as described by this section are, to the extent that they remain unexpended and unobligated at the end of the period for which they were appropriated, dedicated for subsequent use in the formula and discretionary programs as provided by this Act.

(b) The commission shall allocate the money to two categories, as follows:

(1) 50 percent of the money must be allocated in urbanized areas that have a population of not less than 50,000 according to the most recent federal census and that are not served by an authority *and to areas not served by an authority but located in urbanized areas that have a population of not less than 50,000, according to the most recent federal census, and that include one or more authorities;* and

(2) 50 percent of the money must be allocated in urban areas with a population of less than 50,000, according to the most recent federal census, or in rural areas.

~~[(c) Of the money allocated under Subsection (b)(1) of this section, the commission shall distribute in each applicable urbanized area an amount equal to the sum of:~~

~~[(1) one-half of the total amount allocated to that category multiplied by the ratio that the population of the urbanized area bears to the total population of all urbanized areas in this state in that category; and~~

~~[(2) one-half of the total amount allocated to that category multiplied by the ratio that the number of inhabitants per square mile of the urbanized area bears to the combined number of inhabitants per square mile of all urbanized areas in this state in that category.]~~

(d) *Of the money allocated under Subsection (b)(1) of this section, the commission shall distribute an amount equal to the sum of:*

(1) *90 percent of the total amount to designated recipients operating public transportation services in urbanized areas, each with a population of not less than 50,000, according to the most recent federal census; and*

(2) *10 percent of the total amount to designated recipients for federally assisted public transportation projects in urbanized areas, each with a population of not less than 50,000, according to the most recent federal census, selected by the commission.*

(e) *The commission shall distribute the money apportioned under Subsection (d)(1) of this section to each operating transit system that is receiving funds in accordance with Section 1607a of the Federal Transit Act (49 U.S.C. Section 1607a(a)(1)) in an amount equal to the sum of:*

(1) *one-half of the total amount allocated to that category multiplied by the ratio that the population of the urbanized area bears to the total population of all urbanized areas in the state in that category operating transit systems and receiving funds in accordance with Section 1607a of the Federal Transit Act (49 U.S.C. Section 1607a(a)(1)); and*

(2) *one-half of the total amount allocated to that category multiplied by the ratio that the number of inhabitants per square mile of the urbanized area bears to the combined number of inhabitants per square mile of all urbanized areas in the state in that category operating transit systems and receiving funds in accordance with Section 1607a of the Federal Transit Act (49 U.S.C. Section 1607a(a)(1)).*

(f)(1) *The calculation required by Subsection (e)(1) of this section shall not include:*

(A) *the population residing within the area of an authority; or*

(B) *for urbanized areas of 250,000 or more, the population residing outside of the corporate limits of a municipality served by a transit system.*

(2) *The calculation required by Subsection (e)(2) of this section shall not include:*

(A) *the number of inhabitants per square mile attributable to an authority; or*

(B) for urbanized areas of 250,000 or more, the inhabitants per square mile attributable to areas outside the corporate limits of a municipality served by a transit system.

(g) ~~[(f)]~~ Designated recipients may submit project applications to the commission for consideration of funding through the formula program.

(h) ~~[(g)]~~ Of the money allocated under Subsection (b)(2) of this section, the commission shall distribute:

(1) 90 percent of the total amount to designated recipients operating public transportation services in urban areas, each with a population of less than 50,000, according to the most recent federal census, or in rural areas; and

(2) 10 percent of the total amount to designated recipients for federally assisted rural public transportation projects, selected by the commission.

(i) ~~[(h)]~~ The commission shall distribute the money apportioned under Subsection (h)(1) ~~[(g)(1)]~~ of this section in accordance with the following formula:

$$D = T \times F/A$$

where:

“D” = the amount distributed to a designated recipient;

“T” = the total amount apportioned under Subsection (h)(1) ~~[(g)(1)]~~ of this section for a fiscal year of the state;

“F” = the amount of federal public transportation money available to the state through the federal formula grant program for areas other than urbanized areas in accordance with Section 1614 of the federal Urban Mass Transportation Act (49 U.S.C. Section 1614), including money transferred for that purpose in accordance with Section 1607a of that Act (49 U.S.C. Section 1607a), that was approved during the state’s preceding fiscal year for the designated recipient; and

“A” = the amount of federal public transportation money available to the state through the federal formula grant program for areas other than urbanized areas in accordance with Section 1614 of the federal Urban Mass Transportation Act (49 U.S.C. Section 1614), including money transferred for that purpose in accordance with Section 1607a of that Act (49 U.S.C. Section 1607a), that was approved during the state’s preceding fiscal year for all designated recipients eligible to receive money under Subsection (h)(1) ~~[(g)(1)]~~ of this section.

(j) ~~[(i)]~~ Any money under this section that the designated recipient has not applied for before the November commission meeting in the second year of a state fiscal biennium shall be administered by the commission under the discretionary program described by Section 4 of this Act.

(k) ~~[(j)]~~ In evaluating a project under this section, the commission shall consider the need for fast, safe, efficient, and economical public transportation and the approval of the federal Urban Mass Transportation Administration, or its successor.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 10, 1993: Yeas 138, Nays 0, 1 present, not voting; passed by the Senate on May 22, 1993: Yeas 31, Nays 0.

Approved June 9, 1993.

Effective June 9, 1993.