

RESOLUTION #2014-10



STATE OF TEXAS § IN THE COMMISSIONERS COURT  
COUNTY OF COMAL §

URGING THE TEXAS LEGISLATURE TO AMEND CHAPTERS 222 AND 256 OF THE TEXAS TRANSPORTATION CODE

WHEREAS, the 83rd Texas Legislature appropriated \$225,000,000 out of the general revenue fund to the Texas Department of Transportation for county road repairs due to damage from oil and gas exploration and production activities; and

WHEREAS, SB 1747 creates a grant process to distribute these funds to counties through the Texas Department of Transportation; and

WHEREAS, SB 1747 mandates that a county must establish a County Energy Transportation Reinvestment Zone (CETRZ) under Section 221.1071 of the Texas Transportation Code to be eligible for a grant; and

WHEREAS, Texas Transportation Code Section 222.1071 requires a county to establish an ad valorem tax increment account for the CETRZ; and

WHEREAS, Texas Transportation Code Section 222.1071 requires a county to dedicate or pledge all of the captured ad valorem tax increment located in the CETRZ to transportation infrastructure projects; and

WHEREAS, SB 1747 requires a county to create an advisory board to advise the county on the establishment, administration, and expenditures of a CETRZ to be eligible to apply for a grant; and

WHEREAS, a County Energy Transportation Reinvestment Zone may not be terminated before 10 years after creation, thereby creating an extra layer of bureaucracy for 10 years regardless of whether grant funds are awarded; and

WHEREAS, dedicating the ad valorem property tax increment to transportation projects located within the CETRZ does not allow the County to utilize these funds for other County priorities; and

WHEREAS, oil and gas production has significantly increased state revenues and a significant portion of these additional state revenues should simply be distributed to counties for improvement of county roads damaged by oil and gas exploration and production activities without requiring counties to establish County Energy Transportation Reinvestment Zones.

NOW, THEREFORE, BE IT RESOLVED THAT the Commissioners Court of Comal County, Texas, hereby urges the Texas Legislature to amend Texas Transportation Code Chapters 222 and 256 to eliminate the requirement of a CETRZ to be eligible for grants to repair road damage caused by oil and gas production activities.

RESOLVED THIS 10TH DAY OF APRIL, 2014.

SHERMAN KRAUSE, COUNTY JUDGE

DONNA ECCLESTON  
COUNTY COMMISSIONER, PCT. #1

SCOTT HAAG  
COUNTY COMMISSIONER, PCT. #2

KEVIN WEBB  
COUNTY COMMISSIONER, PCT. #3

ABSENT  
JAN KENNADY  
COUNTY COMMISSIONER, PCT. #4

ATTEST:   
JOY STREATER, COUNTY CLERK

