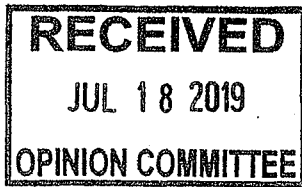


STATE of TEXAS  
HOUSE of REPRESENTATIVES



GARNET F. COLEMAN  
STATE REPRESENTATIVE

VIA REGULAR MAIL

Office of the Attorney General  
Attention Opinion Committee  
P.O. Box 12548  
Austin, Texas 78711-2548

RQ-0295-KP

FILE# ML-48582

I.D.# 48582

Re: Request for Attorney General Opinion

Dear Attorney General:

The purpose of this correspondence is to request your opinion on the following issue of statutory construction: What is the proper allocation formula for distribution of county transportation grant funds appropriated under S.B. 500?

S.B. 500, making supplemental appropriations, was effective on June 6, 2019. Under Section 78 of the bill, "\$125,000,000 is appropriated from the economic stabilization fund to the Department of Transportation for the two-year period beginning on the effective date of this Act... to provide grants for transportation projects under Subchapter C, Chapter 256, Transportation Code." Section 256.103(b) of Subchapter C, Chapter 256 provides a distribution formula for the allocation of grants among counties for these transportation projects.

Effective September 1, 2019, H.B. 4280 will amend the distribution formula in Section 256.103(b). Since the appropriation of \$125,000,000 in S.B. 500 was effective on June 6, 2019 for the two-year period beginning on the effective date of that Act, should that appropriation be allocated for grants to counties under the distribution formula contained in the present statute or should it be allocated under the provisions that will be effective on September 1, 2019?

It is noted that an additional appropriation of \$125,000,000 is made to this grant program by H.B. 1, the General Appropriations Act. Since H.B. 1 is effective on September 1, 2019, it seems clear that these funds will be allocated under the revised formula provisions of H.B. 4280. Since the appropriation under S.B. 500 is available now, your expedited consideration would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Garnet F. Coleman".

Garnet F. Coleman  
Chair of the House Committee on County Affairs  
State Representative--District 147