

119TH CONGRESS  
2D SESSION

# H. R. 7776

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2026

Mr. ROY (for himself, Mr. WEBER of Texas, and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Highway Formula  
5 Fairness Act”.

1 **SEC. 2. ADJUSTMENTS TO CERTAIN STATE APPORTION-**  
2 **MENT AMOUNTS.**

3 Section 104 of title 23, United States Code, is  
4 amended by striking subsection (c) and inserting the fol-  
5 lowing:

6 “(c) CALCULATION OF AMOUNTS.—

7 “(1) STATE SHARE.—For fiscal year 2026 and  
8 each fiscal year thereafter, the amount for each  
9 State of combined apportionments for sections 119,  
10 133, 148, 149, 167, 175, 176(c), and to carry out  
11 section 134 shall be determined as follows:

12 “(A) INITIAL AMOUNT.—The initial  
13 amount for each State shall be determined by  
14 multiplying the total amount available for ap-  
15 portionment by the share for each State, which  
16 shall be equal to the proportion that—

17 “(i) the amount of apportionments  
18 that the State received for fiscal year  
19 2012; bears to

20 “(ii) the amount of those apportion-  
21 ments received by all States for that fiscal  
22 year.

23 “(B) ADJUSTMENTS TO AMOUNTS.—

24 “(i) IN GENERAL.—The initial  
25 amounts resulting from the calculation  
26 under subparagraph (A) shall be adjusted

1 to ensure that, for each State, the amount  
2 of combined apportionments for the pro-  
3 grams shall not be less than an amount  
4 equal to—

5 “(I) 95 percent of the applicable  
6 percentage; multiplied by

7 “(II) the total amount of funds  
8 available for apportionment.

9 “(ii) APPLICABLE PERCENTAGE.—For  
10 purposes of this subparagraph, the applica-  
11 ble percentage shall be an amount, ex-  
12 pressed as a percentage, equal to the  
13 quotient of—

14 “(I) the estimated tax payments  
15 attributable to highway users in the  
16 State that were paid into the Highway  
17 Trust Fund (other than the Mass  
18 Transit Account) for the most recent  
19 fiscal year for which data are avail-  
20 able; divided by

21 “(II) the estimated total tax pay-  
22 ments attributable to users in all  
23 States that were paid into the High-  
24 way Trust Fund (other than the Mass  
25 Transit Account) for that fiscal year.

1           “(2) STATE APPORTIONMENT.—On October 1  
2       of each fiscal year described in paragraph (1), the  
3       Secretary shall apportion the sum authorized to be  
4       appropriated for expenditure on the programs under  
5       sections 119, 133, 148, 149, 167, 175, 176(c), and  
6       to carry out section 134 in accordance with para-  
7       graph (1).”.

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