

BILL ANALYSIS

H.B. 1394
By: Burns
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that a county in which a regional tollway authority turnpike project is located should be able to become a member of the authority and have representation on that authority's board of directors. These parties further contend that in order to ensure fairness to current members of the regional tollway authority, authority membership should be attainable only after certain conditions are met. In the meantime, the parties suggest, the authority should create an advisory committee that would allow representatives from counties outside the authority's territory to advise the board on issues related to the projects located in their counties. H.B. 1394 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1394 amends the Transportation Code to establish that a county that is not part of a regional tollway authority and in which an authority turnpike project is located becomes part of the regional tollway authority on the date the authority determines that recorded electronic toll collections at toll assessment facilities located in the county account for not less than four percent of all recorded electronic toll collections on all of the authority's turnpike projects and that the population of the county is at least four percent of the aggregate population of all the counties of the authority, not including the county that will become part of the authority.

H.B. 1394 requires a regional tollway authority, at the time the authority enters into a primary construction contract for its first project to be located in a county that is not part of the authority, to create an advisory committee to advise the board of directors of the authority on matters related to projects located in counties that are not part of the authority. The bill sets out the composition of the committee and specifies that an advisory committee member appointed by the commissioners court of a county that is not part of the authority and in which a project is proposed to be located is not a director of the authority. The bill authorizes the board of directors of a regional tollway authority to adopt rules governing the operation and duties of such an advisory committee.

H.B. 1394 removes the requirement for the commissioners court of a county that is part of a regional tollway authority but is not a county that created the authority to appoint a director to the authority's board of directors in addition to the director appointment required of all counties

of the authority if the county is a county in which all or part of a turnpike project of not less than 10 centerline miles in length is located and has been open for use by the traveling public for at least three years.

EFFECTIVE DATE

September 1, 2015.