

BILL ANALYSIS

Senate Research Center

S.B. 416
By: Ogden
Natural Resources
2/14/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Under current law, the Texas Department of Transportation (TxDOT) is often placed in the position of having to acquire and become a long-term land manager of mitigation property environmentally impacted by a highway improvement project. As proposed, S.B. 416 allows TxDOT to pay a fee to public agencies or private entities that require TxDOT to mitigate for an impact rather than having TxDOT itself acquire and manage the property.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 201H, Transportation Code, by adding Section 201.6061, as follows:

Sec. 201.6061. PAYMENT OF FEE TO PUBLIC AGENCY IN CONNECTION WITH MITIGATION OF CERTAIN ADVERSE ENVIRONMENTAL IMPACTS. Requires the Texas Department of Transportation, if authorized by the applicable regulatory authority, to pay a fee to an appropriate public agency or private entity in lieu of acquiring or agreeing to manage property for the mitigation of an adverse environmental impact that is a direct result of a state highway improvement project.

SECTION 2. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 416, proposed Section 201.6061, Transportation Code, to require the Texas Department of Transportation to pay a fee either to an appropriate public agency or to a private entity.