

BILL ANALYSIS

Senate Research Center
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S.B. 502
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Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Federal law requires an environmental review for the construction of transportation projects undertaken by federal, state, and local transportation entities. During the environmental review process, federal, state or local transportation entities work in consultation with resource agencies such as the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, the Texas Parks and Wildlife Department, and the Texas Historical Commission. However, many of the resource agencies lack sufficient staff to perform these activities in a timely manner.

To overcome this obstacle, many state departments of transportation are using interagency funding agreements to hire additional staff for the resource agencies. The Texas Department of Transportation (TxDOT) does not have express statutory authority to enter into interagency funding agreements to hire additional staff for state or federal resource agencies.

As proposed, S.B. 502 amends Subchapter H, Chapter 201, Transportation Code, to grant TxDOT the authority to enter into funding agreements with federal and state agencies for the purpose of expediting their performance of environmental review duties related to transportation projects.

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 Subchapter H, Chapter 201, Transportation Code, by adding Section 201.6045, as follows:

Sec. 201.6045. AUTHORIZATION TO PROVIDE ASSISTANCE TO EXPEDITE ENVIRONMENTAL REVIEW. Authorizes the Texas Department of Transportation (TxDOT) to enter into an agreement to provide funds to a state or federal agency to expedite the agency's performance of its duties related to the environmental review process for a transportation project of TxDOT.

SECTION 2. Effective date: upon passage or September 1, 2009.