

## **BILL ANALYSIS**

C.S.H.B. 156  
By: Krusee  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

SB 342 from the 77th Legislature amended Subchapter A, Chapter 361, Transportation Code by adding Section 361.003 granting the Texas Transportation Commission the authority to authorize the creation of regional mobility authorities. One provision of SB 342, the ability to acquire real property, was inadvertently omitted. CSHB 156 gives a regional mobility authority the ability to acquire real property, by purchase or by condemnation.

### **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**

CSHB 156 adds Subsection (m) to 361.003 of the Transportation Code to allow a regional mobility authority the powers and duties that the Texas Department of Transportation and the Texas Transportation Commission have under Subchapter D to acquire property by any method, including purchase or condemnation.

CSHB 156 additionally allows the exercise of the power of condemnation to take place with the approval of the governing board of the regional mobility authority, but without the concurrence of the Texas Transportation Commission.

### **EFFECTIVE DATE**

Immediately if the bill receives a vote of two-thirds of the members of each house; otherwise September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute differs from the original in that the substitute grants explicit authority to acquire real property by any method, including by condemnation or purchase.

The substitute clarifies that the Texas Transportation Commission does not have to concur with a regional mobility authority's condemnation.

The substitute refers to both the Texas Transportation Commission and the Texas Department of Transportation, rather than just the Transportation Commission, since the referenced law refers to both.