

BILL ANALYSIS

H.J.R. 1
By: Puente
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Constitution currently dedicates certain revenues derived from motor vehicle registrations and sales taxes on motor fuels to the construction, maintenance, and policing of public roads. Although utilities are permitted to use highway right of way, there is no authority to expend dedicated revenues to purchase right of way to accommodate those utilities. In addition, although efficient transportation planning may sometimes require joint reliance on highways and rail transportation, there is no authority to expend dedicated revenues to purchase right of way to accommodate rail facilities. When these expenditures would benefit the state highway system, as found by the Texas Transportation Commission, this amendment will allow the expenditure of dedicated funds to plan and acquire property for utilities and railroads.

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

SECTION 1. Amends Article VIII, Section 7-a, Texas Constitution, to permit certain revenues to be used for the acquisition of right of way for utilities and railroads if the Texas Transportation Commission finds that the expenditure will benefit the state highway system.

SECTION 2. Requires that this constitutional amendment be put before the voters in an election on November 4, 2003. Requires the ballot to be printed to permit voting for or against the proposition and sets forth specific wording to be contained on the ballot.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003.

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