

BILL ANALYSIS

S.B. 1082
By: Ogden
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Department of Transportation's (TxDOT) shortage of available funds causes TxDOT to purchase rights-of-way only when a project is well underway. The ability to purchase rights-of-way earlier in the process could allow TxDOT to acquire land at lower costs. S.B. 1082 allows TxDOT, in agreement with the State Board of Education, to borrow funds from the permanent school fund to purchase rights-of-way for the state highway system.

RULEMAKING AUTHORITY

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

ANALYSIS

S.B. 1082 amends the Transportation Code, by authorizing the Texas Department of Transportation (TxDOT), on terms and conditions agreed on by TxDOT and the State Board of Education (SBOE), to borrow from the permanent school fund to acquire rights-of-way for the state highway system.

The bill authorizes the SBOE to make a loan under this section upon determining that the terms of the agreement governing the loan provide for the payment of the greater of certain interest rates. The bill requires the agreement to be secured by a pledge of the first money coming into the state highway fund.

The bill prohibits TxDOT from using the proceeds of a loan made under this section for the construction of a state highway or other facility of the Trans Texas Corridor.

S.B. 1082 amends the Education Code, by authorizing the SBOE, to make loans from the permanent school fund to TxDOT for acquiring rights-of-way for the highway system.

EFFECTIVE DATE

This Act takes effect on the date on which S.J.R. No. 43, takes effect. If that resolution is not approved by the voters, this Act has no effect.