

Suspending limitations on conference committee
jurisdiction, S.B. No. 361

By: Shapiro

S.R. No. 998

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, Regular Session, 2003, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill No. 361, relating to the precedence of certain municipal highway access rules and ordinances over highway access management orders of the Texas Transportation Commission, to consider and take action on the following matter:

Senate Rules 12.03(3) and (4) are suspended to permit the committee to add text not included in either the house or senate version of the bill to add Subsection (d), Section 203.032, Transportation Code, to read as follows:

(d) The state will not be liable under Chapter 101, Civil Practice and Remedies Code, for access granted under Subsection (b) to which the department had lodged a written objection. This subsection shall neither limit nor extend liability of a municipality or county.

Explanation: The added text is necessary to provide protection to this state from liability under the Texas Tort Claims Act when a municipality grants highway access and the Texas Transportation Commission has objected in writing to the municipality's action. The added text also clarifies that the

S.R. No. 998

protection afforded the state does not limit or extend any liability of a municipality or a county.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on June 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate