

BILL ANALYSIS

C.S.H.B. 2489
By: Wong
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 77th and 78th legislative sessions, a rider was placed in the appropriations bill to dedicate up to a half percent of new highway construction funds to landscaping improvements under the Green Ribbon Project. Targeted counties throughout the state have been able to use the Green Ribbon Landscape Improvement Program to embark on substantial landscaping improvements along highways and rights-of-way.

C.S.H.B. 2489 will dedicate at least one percent of the amount spent under a contract for construction, maintenance, or highway improvement specifically for landscape improvements within urban districts for projects located in non-attainment or near non-attainment areas.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2489 amends Subchapter H, Chapter 201 of the Transportation Code by adding Section 201.617 to require that each Texas Department of Transportation department district containing an urban area create a green ribbon master plan. The bill requires for each urban highway transportation project located in a non-attainment or near-non-attainment area, between 1% and 1.25% of the amount spent to be allocated for projects under the green ribbon program, with at least half of the funds to be used for the planting of vegetation to mitigate the effects of pollution. The money may also be used for other landscaping improvements along urban highways in the district, and if two or more districts share the money, it shall be allocated according to the amount of the contract to be spent in each district. The department district may not use money allocated under this section to obscure or impair the visibility of outdoor signs, displays, or devices along the National Highway System.

EFFECTIVE DATE

This Act takes effect immediately upon passage by two thirds of the members elected to each house, or if it does not receive the vote necessary for immediate effect, September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds Section 201.617(f) to prevent funds being used to obscure or impair the visibility of signs, displays, or devices along the National Highway System.