

BILL ANALYSIS

H.B. 2496
By: Wong
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This bill notifies the public within a specified time frame about a public hearing relating to a toll road conversion within a specific area. Citizens do not feel it is fair to create new roads within their community without having any notification or input about the new toll road. Citizens want the public notice posted early enough for them to arrange to attend the public hearing, so this bill gives constituents more time to plan their schedules to make it to hearings to testify or listen. This bill requires the notice of a public hearing to be posted in the Texas Register and any additional circulating newspapers within the effected county or counties at least once a week for two consecutive weeks. The first publication must be 30 days before the hearing, which allows the public to have multiple chances to see the notice of a public hearing.

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 Section 284.010. of the Transportation Code by requiring the publication of notice of hearing is published at least once a week for two consecutive weeks in the Texas Register and newspaper in the affected area. The original publication must be no later than 30 days before the date of hearing.

Section 2:

Amends Section 362.0041 (b) of the Transportation Code by requiring the commission to conduct a public hearing to receive public input on the proposed project. A notice in the county or counties affected must be posted at least once a week for two consecutive weeks in the Texas Register or one or more newspapers of general circulation. The first posting must be no later than the 30 days before the date of the hearing.

Section 3:

Amends Section 366.035 (d) of the Transportation Code by conducting a public hearing to receive comments from concerned citizens relating to the proposed project. The notice of the hearing must be published at least once a week for two consecutive weeks in the Texas Register and one or more circulating newspapers in the counties being considered. The notice must be no later than 30 days before the hearing.

Section 4:

Amends Section 370.035 (e) of the Transportation Code by holding a public hearing for comments from concerned citizens relating to the proposed project. The advertising of the notice must be published at least once a week for two consecutive weeks in the Texas Register and any additional circulating newspapers in the effected county or counties. The first notice must be no later than 30 days before the hearing.

Section 5: The changes in law made by this Act apply only to a public hearing that is conducted after the 30th day after the effective date of this Act. A public hearing that begins on or before the 30th day after the effective date of this Act is covered by the law in effect immediately before the effective date of this Act and the former law is continued in effect for that purpose.

Section 6:

This Act takes effect September 1, 2005 if a two-thirds majority vote is not met .

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.