

BILL ANALYSIS

C.S.H.J.R. 54
By: McClendon
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

From January through November of 2004 Union Pacific reported 21 accidents in Bexar County, one of which resulted in the deaths of five people. On two occasions hazardous materials were released. In San Marcos 200 people were evacuated when seven cars of a 109 car train headed for San Antonio derailed; four of the derailed cars contained 118 gallons of sulfuric acid and 278 gallons of xylene. Railroad tracks that route train cars through populated areas can and do cause harm to Texas residents in the occurrence of train accidents.

C.S.H.J.R. 54 amends the Texas Constitution to create the Texas rail relocation and improvement fund.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.J.R. 54 amends the Texas Constitution to create the Texas rail relocation and improvement fund in the state treasury. The resolution requires the fund to be administered by the Texas Transportation Commission to provide a method of financing the relocation and improvement of privately and publicly owned passenger and freight facilities for the purposes of moving freight rail lines carrying hazardous materials through urban areas for the purpose of enhancing public safety, expanding economic opportunity, converting freight rail lines to commuter rail lines for the purpose of relieving congestion on public highways, and improving air quality. The resolution provides for the issuance and sale of obligations by the commission and specifies the purposes for which the proceeds of the obligations may be used. The resolution sets forth provisions regarding money dedicated to the fund and the commission's responsibility for payment of obligations and credit agreements executed by the commission.

EFFECTIVE DATE

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 8, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute clarifies that the goal of relieving congestion on public highways will be accomplished by converting freight rail lines to commuter rail and that the goal of enhancing public safety will be accomplished by moving freight lines carrying hazardous materials out of urban areas. The substitute modifies the ballot language accordingly.