

BILL ANALYSIS

H.J.R. 79
By: Krusee
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Regional Mobility Authorities (RMAs) were initially authorized during the 77th Legislative session. House Bill 3588, passed during the 78th Legislative session, created the Regional Mobility Act (Chapter 370 of the Transportation code) governing the creation and operation of RMA's. Among the changes to RMA's enacted by House Bill 3588 was the expansion of the length of RMA Board of Director terms of office from 2 to 6 years. The purpose of lengthening the terms of office was to provide for consistency and stability in RMA leadership to make RMA transportation projects more attractive to investment from capital markets. However, questions have arisen over whether 6-year RMA board member terms are constitutional due to ambiguity contained in the language of Article XVI, Sections 30 and 30A of the Texas Constitution. This resolution allows the legislature to, by general law, provide that RMA board members serve terms not to exceed 6 years.

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

Section 1. Amends Section 30, Article XVI of the constitution by adding Subsection (e) which would provide that members of the board of a Regional Mobility Authority to serve terms not to exceed six year, with no more than one-third of the members to be appointed every two years.

Section 2. Provides that the proposed amendment shall be submitted to the voters at an election to be held on November 8, 2005, and provides ballot language for the election.

EFFECTIVE DATE

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