

By: Rose

H.B. No. 1036

A BILL TO BE ENTITLED

AN ACT

relating to conflicts of interest of policy board members of metropolitan planning organizations; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 472, Transportation Code, is amended to read as follows:

SUBCHAPTER D. METROPOLITAN PLANNING ORGANIZATIONS

Sec. 472.031. DEFINITIONS. In this subchapter:

(1) "Metropolitan planning organization" means a metropolitan planning organization designated or redesignated under 23 U.S.C. Section 134.

(2) "Policy board" means the policy board of a metropolitan planning organization.

Sec. 472.032. VOTING PROXIES BY POLICY BOARD MEMBERS. (a) A policy board [~~of a metropolitan planning organization designated or redesignated under 23 U.S.C. Section 134~~] may provide in its bylaws for appointment of voting proxies by its members.

(b) A proxy appointed under Subsection (a):

(1) acts on behalf of and under the supervision of the policy board member who appointed the proxy;

(2) must be appointed in writing; and

(3) is authorized to vote for the policy board member who appointed the proxy to the extent the member has given the proxy the member's voting power.

1 Sec. 472.033. APPLICABILITY OF CONFLICTS OF INTEREST LAW TO
2 POLICY BOARD MEMBERS. A policy board member is considered to be a
3 local public official for purposes of Chapter 171, Local Government
4 Code.

5 SECTION 2. Section 472.033, Transportation Code, as added
6 by this Act, applies only to an action taken by a member of the
7 policy board of a metropolitan planning organization on or after
8 September 1, 2005. An action taken by a member of the policy board
9 of a metropolitan planning organization before September 1, 2005,
10 is subject to the law in effect on the date the action was taken, and
11 the former law is continued in effect for that purpose.

12 SECTION 3. This Act takes effect September 1, 2005.