

By: Wong

H.B. No. 2496

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the publication of the notice of a public hearing on a  
3 proposed conversion of a nontoll state highway or highway segment  
4 to a turnpike project or toll facility.

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

6 SECTION 1. Subchapter A, Chapter 284, Transportation Code,  
7 is amended by adding Section 284.010 to read as follows:

8 Sec. 284.010. PUBLICATION OF NOTICE OF PUBLIC HEARING.

9 Notice of a public hearing required by Section 284.009 shall be  
10 published at least once a week for two consecutive weeks in the  
11 Texas Register and in each newspaper specified by that section. The  
12 first publication must be not later than 30 days before the date of  
13 the hearing.

14 SECTION 2. Section 362.0041(b), Transportation Code, is  
15 amended to read as follows:

16 (b) Prior to converting a segment of the state highway  
17 system under this section, the commission shall conduct a public  
18 hearing for the purpose of receiving comments from interested  
19 persons concerning the proposed transfer. Notice of the hearing  
20 shall be published at least once a week for two consecutive weeks in  
21 the Texas Register, one or more newspapers of general circulation,  
22 and a newspaper, if any, published in the county or counties in  
23 which the involved highway is located. The first publication must  
24 be not later than 30 days before the date of the hearing.

1 SECTION 3. Section 366.035(d), Transportation Code, is  
2 amended to read as follows:

3 (d) Before transferring a segment of the state highway  
4 system under this section, the commission shall conduct a public  
5 hearing to receive comments from interested persons concerning the  
6 proposed transfer. Notice of the hearing must be published at least  
7 once a week for two consecutive weeks in the Texas Register, one or  
8 more newspapers of general circulation in the counties in which the  
9 segment is located, and a newspaper, if any, published in the  
10 counties of the applicable authority. The first publication must  
11 be not later than 30 days before the date of the hearing.

12 SECTION 4. Section 370.035(e), Transportation Code, is  
13 amended to read as follows:

14 (e) Before transferring a turnpike project that is part of  
15 the state highway system under this section, the commission shall  
16 conduct a public hearing at which interested persons shall be  
17 allowed to speak on the proposed transfer. Notice of the hearing  
18 must be published at least once a week for two consecutive weeks in  
19 the Texas Register, one or more newspapers of general circulation  
20 in the counties in which the turnpike project is located, and a  
21 newspaper, if any, published in the counties of the applicable  
22 authority. The first publication must be not later than 30 days  
23 before the date of the hearing.

24 SECTION 5. The changes in law made by this Act apply only to  
25 a public hearing that is conducted after the 30th day after the  
26 effective date of this Act. A public hearing that begins on or  
27 before the 30th day after the effective date of this Act is covered

1 by the law in effect immediately before the effective date of this  
2 Act and the former law is continued in effect for that purpose.

3 SECTION 6. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2005.