

By: Van Arsdale

H.B. No. 3256

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requiring approval by certain elected officials for
3 certain proposed toll projects in certain counties.

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

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

7 Sec. 284.010. CONVEYANCE IN CERTAIN COUNTIES; APPROVAL BY
8 CERTAIN ELECTED OFFICIALS REQUIRED. (a) This section applies only
9 to the proposed conveyance of a state highway or segment of a state
10 highway located in a county with a population of three million or
11 more.

12 (b) The commission may not convey a state highway or segment
13 of a state highway under Section 284.009 without the written
14 approval of a majority of:

15 (1) the members of the legislature who represent a
16 district in which the segment proposed for conveyance is located;
17 and

18 (2) the county commissioners and the county judge.

19 (c) Before conducting the public hearing required by
20 Section 284.009, the commission shall give written notice of the
21 hearing to each elected official described by Subsection (b).

22 (d) Not later than the 21st day after the date an elected
23 official receives notice of the hearing under Subsection (c), the
24 official shall respond to the notice by stating in writing whether

1 the official approves of the proposal to make the conveyance.

2 (e) The commission by rule shall prescribe the form of a
3 notice and response required by this section.

4 (f) Section 284.009(a)(1), as added by Section 7.01,
5 Chapter 1325, Acts of the 78th Legislature, Regular Session, 2003,
6 does not apply to a segment approved for conveyance under this
7 section.

8 SECTION 2. Subchapter A, Chapter 362, Transportation Code,
9 is amended by adding Section 362.0042 to read as follows:

10 Sec. 362.0042. CONVERSION IN CERTAIN COUNTIES; APPROVAL BY
11 CERTAIN ELECTED OFFICIALS REQUIRED. (a) This section applies only
12 to the proposed conversion of a segment of the free state highway
13 system located in a county with a population of three million or
14 more.

15 (b) The commission may not convert a segment of the free
16 state highway system under Section 362.0041 without the written
17 approval of a majority of:

18 (1) the members of the legislature who represent a
19 district in which the segment proposed for conversion is located;
20 and

21 (2) the county commissioners and the county judge.

22 (c) Before conducting the public hearing required by
23 Section 362.0041(b), the commission shall give written notice of
24 the hearing to each elected official described by Subsection (b).

25 (d) Not later than the 21st day after the date an elected
26 official receives notice of the hearing under Subsection (c), the
27 official shall respond to the notice by stating in writing whether

1 the official approves of the proposal to make the conversion.

2 (e) The commission by rule shall prescribe the form of a
3 notice and response required by this section.

4 (f) Section 362.0041(g) does not apply to a segment approved
5 for conversion under this section.

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