

BILL ANALYSIS

Senate Research Center

S.B. 719
By: Ogden
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3588, 78th Legislature, Regular Session, 2003, expanded the authority of the Texas Department of Transportation (TxDOT) to construct and operate state highways. One of the outcomes of the bill was the creation of public-private partnerships, which have resulted in private entities being granted leasehold interests to construct, operate, and charge tolls on state highways for as long as 50 years.

As proposed, S.B. 719 prohibits TxDOT from granting any interest, including a leasehold interest, in a state highway to individuals or private entities, thereby effectively prohibiting such partnerships.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 202, Transportation Code, by adding Section 202.003, as follows:

Sec. 202.003. PROHIBITION AGAINST PRIVATE INTEREST. Prohibits the Texas Department of Transportation from granting an individual or nongovernmental entity any interest, including a leasehold interest, in a state highway.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.