

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 23, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2047** by Farias (Relating to the construction and expansion of toll projects by private entities in certain areas.), **As Introduced**

<b>The fiscal implications to the State cannot be determined.</b>
---

The bill would prohibit the construction or expansion of certain toll projects by a private entity if after conducting a study the Texas Department of Transportation (TxDOT) determines that the construction or expansion would result in significant damage or other adverse effects to certain cultural, historical, or archeological sites; areas such as aquifers and aquifer recharge sites; certain parks, monuments, landmarks, or designated natural areas; or certain public structures or dwellings; or if the construction or expansion may reasonably be expected to endanger life and property because it will be located in an area that is subject to frequent flooding or geologically unstable.

TxDOT indicates that the provisions of the bill would prevent many projects from being constructed by private entities and the fiscal implications could only be determined on a per project basis. Based on the information provided by TxDOT, it is assumed any fiscal implications to the state would depend on the number and scope of potential projects that could be developed by private entities under current law but would be prohibited as a result of the enactment of the bill and, therefore, cannot be determined.

The bill would take effect on September 1, 2007.

**Local Government Impact**

The provisions of the bill could prohibit a private entity under contract with a local toll project entity from constructing or expanding a toll project if a study by TxDOT identifies the environmental impacts specified by the bill. The fiscal implications to local governments would depend on the number and scope of projects that could be developed by private entities under current law but would be prohibited as a result of the enactment of the bill.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, MW, TG, KJG