

BILL ANALYSIS

H.B. 2433
By: Smith, Wayne
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law provides that freight rail districts created under Chapter 171, Transportation Code, can exercise the powers of an intermunicipal commuter rail district by specifying in the concurrent order or ordinance creating the district that those powers may be exercised by the district. However, the law governing intermunicipal commuter rail districts limits payments made by a local government to an intermunicipal rail district.

H.B. 2433 authorizes freight rail districts to exercise the powers related to a commuter rail facility, including the power to establish intercity and passenger rail services. The bill removes the limit on payments made by a local government to such a rail district and provides that such districts may use money paid to the district by a local government outside of the territory of the local government if it is used for a public purpose of the local government.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2433 amends the Transportation Code to include the powers related to a commuter rail facility among the powers of an intermunicipal commuter rail district that the governing bodies of the county or counties and of the most populous municipality in the most populous county may exercise by specifying in the concurrent order or ordinance creating a freight rail district that those powers may be exercised by the district. The bill specifies that the limit on payments made by a local government for the financing of transportation infrastructure within the territory of the local government does not apply to a freight rail district that is exercising the powers of an intermunicipal commuter rail district, including the powers related to a commuter rail facility. The bill authorizes such a district to use money paid to the district by a local government outside the territory of the local government if the money is used for a public purpose of the local government and to pledge money paid to the district by a local government to secure the payment of a district debt.

EFFECTIVE DATE

September 1, 2009.