

By: Leibowitz

H.B. No. 12

A BILL TO BE ENTITLED

AN ACT

relating to the membership of the Texas Transportation Commission.

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

SECTION 1. Sections 201.051(a), (b), and (d), Transportation Code, are amended to read as follows:

(a) The Texas Transportation Commission consists of 15 ~~[five]~~ members, with 14 members elected from geographic districts and one member elected at large ~~[appointed by the governor with the advice and consent of the senate]~~.

(b) The legislature shall, at its first regular session after the publication of each United States decennial census, reapportion the geographic districts described in Subsection (a). The districts shall be substantially equal in population, according to the most recent United States decennial census. The legislature shall consider county lines, senatorial and representative districts, and commissioners precincts in the reapportionment process ~~[members shall be appointed to reflect the diverse geographic regions and population groups of this state. One member must reside in a rural area]~~.

(d) A ~~[Except as provided by Subsection (e), a]~~ person may not serve ~~[is not eligible for appointment]~~ as a member of the commission if the person or the person's spouse:

(1) is employed by or participates in the management of a business entity or other organization that is regulated by or

1 receives funds from the department;

2 (2) directly or indirectly owns or controls more than  
3 10 percent interest in a business entity or other organization that  
4 is regulated by or receives funds from the department;

5 (3) uses or receives a substantial amount of tangible  
6 goods, services, or funds from the department, other than  
7 compensation or reimbursement authorized by law for commission  
8 membership, attendance, or expenses; or

9 (4) is registered, certified, or licensed by the  
10 department.

11 SECTION 2. Section 201.052, Transportation Code, is amended  
12 to read as follows:

13 Sec. 201.052. TERMS. Members of the commission elected  
14 from geographic districts serve two-year [~~staggered six-year~~]  
15 terms, and the member elected at large serves a four-year term. The  
16 [~~, with the~~] terms of the [~~either one or two~~] members expire January  
17 [~~expiring February~~] 1 of an [~~each~~] odd-numbered year.

18 SECTION 3. Section 201.053(a), Transportation Code, is  
19 amended to read as follows:

20 (a) The member of the commission elected at large is  
21 [~~governor periodically shall designate one commissioner as~~] the  
22 chair of the commission, who shall serve as presiding officer of the  
23 commission.

24 SECTION 4. Section 52.092(c), Election Code, is amended to  
25 read as follows:

26 (c) Statewide offices of the state government shall be  
27 listed in the following order:

- 1           (1) governor;
- 2           (2) lieutenant governor;
- 3           (3) attorney general;
- 4           (4) comptroller of public accounts;
- 5           (5) commissioner of the General Land Office;
- 6           (6) commissioner of agriculture;
- 7           (7) transportation commission, chair;
- 8           (8) transportation commissioner;
- 9           (9) railroad commissioner;
- 10          (10) [~~(8)~~] chief justice, supreme court;
- 11          (11) [~~(9)~~] justice, supreme court;
- 12          (12) [~~(10)~~] presiding judge, court of criminal
- 13 appeals;
- 14          (13) [~~(11)~~] judge, court of criminal appeals.

15           SECTION 5. Sections 201.051(c) and (i), Transportation  
16 Code, are repealed.

17           SECTION 6. (a) The legislature shall first apportion the  
18 geographic districts described in Section 201.051(a),  
19 Transportation Code, as amended by this Act, at the 82nd  
20 Legislature, Regular Session, 2011.

21           (b) The first members of the Texas Transportation  
22 Commission elected under the changes in law made by this Act shall  
23 be elected at the general election held in November 2012 to serve  
24 for a term that begins January 1, 2013.

25           (c) Until the members of the Texas Transportation  
26 Commission elected under this Act take office, the governor will  
27 continue to appoint members to the Texas Transportation Commission

1 and those members shall, unless otherwise removed as provided by  
2 law, continue in office under the prior law that governed the  
3 composition of the Texas Transportation Commission, and that prior  
4 law is continued in effect for that purpose.

5 SECTION 7. This Act takes effect September 1, 2009.