

1-1 By: Carona S.B. No. 502
1-2 (In the Senate - Filed January 20, 2009; February 17, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 20, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8, Nays
1-6 0; March 20, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 502 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the authority of the Texas Department of
1-11 Transportation, counties, and certain toll project entities and
1-12 regional mobility authorities to enter into funding agreements to
1-13 expedite the entity's environmental review duties related to
1-14 certain transportation projects.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Subchapter A, Chapter 222, Transportation Code,
1-17 is amended by adding Section 222.004 to read as follows:

1-18 Sec. 222.004. AUTHORIZATION TO PROVIDE ASSISTANCE TO
1-19 EXPEDITE ENVIRONMENTAL REVIEW. (a) The department, a county, a
1-20 regional tollway authority operating under Chapter 366, or a
1-21 regional mobility authority operating under Chapter 370 may enter
1-22 into an agreement to provide funds to a state or federal agency to
1-23 expedite the agency's performance of its duties related to the
1-24 environmental review process for transportation projects:

1-25 (1) of the department;

1-26 (2) listed in a metropolitan planning organization's
1-27 long-range transportation plan under 23 U.S.C. Section 134; or

1-28 (3) of a county, a regional tollway authority
1-29 operating under Chapter 366, or a regional mobility authority
1-30 operating under Chapter 370.

1-31 (b) Except as provided by Subsection (c), an agreement
1-32 entered into under this section:

1-33 (1) may specify transportation projects the
1-34 applicable entity considers to be priorities for review; and

1-35 (2) must require the agency receiving money to
1-36 complete the environmental review in less time than is customary
1-37 for the completion of environmental review by that agency.

1-38 (c) The department may enter into a separate agreement for a
1-39 transportation project that the department determines has regional
1-40 importance.

1-41 (d) An agreement entered into under this section does not
1-42 diminish or modify the rights of the public regarding review and
1-43 comment on transportation projects.

1-44 (e) An entity entering into an agreement under this section
1-45 shall make the agreement available on the entity's Internet
1-46 website.

1-47 SECTION 2. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect September 1, 2009.

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