

By: Wentworth

S.B. No. 581

A BILL TO BE ENTITLED

AN ACT

relating to intermunicipal commuter rail districts.

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

SECTION 1. Section 2(c), Article 6550c-1, Revised Statutes, is amended to read as follows:

(c) The following political subdivisions and other public entities may become a part of a district created under Subsection (b) of this section with the approval of the governing body of the political subdivision or public entity:

(1) a county located adjacent to a county in which a creating municipality is located; ~~and~~

(2) a municipality with a population of more than 18,000 located in a county described by Subdivision (1) of this subsection; and

(3) a public entity located in a county that has become a part of the district.

SECTION 2. Section 3, Article 6550c-1, Revised Statutes, is amended by amending Subsection (b) and adding Subsection (i) to read as follows:

(b) The board is composed of the following members:

(1) two public members appointed by the commission;

(2) one elected member of the governing body of each political subdivision that has become a part of the district under Section 2 of this article;

1 (3) one elected member appointed by the regional  
2 planning organization of which a creating municipality is a part;

3 (4) one member appointed by each creating municipality  
4 to represent the business community of the municipality;

5 (5) one member appointed by each authority created  
6 under Chapter 451, Transportation Code, that serves a creating  
7 municipality;

8 (6) one member appointed by each county in which a  
9 creating municipality is located to represent transportation  
10 providers that provide service to rural areas in the county; ~~and~~

11 (7) one member appointed by each public entity that  
12 has become a part of the district under Section 2 of this article;  
13 and

14 (8) [~~(7)~~] one member appointed by all other board  
15 members to represent all municipalities in the district that do not  
16 otherwise have representation on the board and who shall be an  
17 elected official of one of those municipalities.

18 (i) The board shall adopt a name for the district and may by  
19 resolution change the name of the district.

20 SECTION 3. Section 4(e), Article 6550c-1, Revised Statutes,  
21 is amended to read as follows:

22 (e) A district may acquire, construct, develop, own,  
23 operate, and maintain intermodal and commuter rail facilities,  
24 intercity or other types of passenger rail services, inside, or  
25 connect political subdivisions in, the district. For these  
26 purposes and with the consent of any municipality, county, or other  
27 political subdivision, the district may use streets, alleys, roads,

1 highways, and other public ways of any municipality, county, or  
2 other political subdivision and may relocate, raise, reroute,  
3 change the grade of, or alter, at the expense of the district, the  
4 construction of any street, alley, highway, road, railroad,  
5 electric lines and facilities, telegraph and telephone properties  
6 and facilities, pipelines and facilities, conduits and facilities,  
7 and other properties, whether publicly or privately owned, as  
8 necessary or useful in the construction, reconstruction, repair,  
9 maintenance, and operation of the system. A district may not use or  
10 alter a road or highway in the state highway system without the  
11 permission of the commission or a railroad without permission of  
12 the railroad. A district may at its discretion acquire by purchase  
13 any interest in real property for the acquisition, construction, or  
14 operation of any commuter rail facility on terms and at a price as  
15 agreed to between the district and the owner. The governing body of  
16 any municipality, county, other political subdivision, or public  
17 agency may make conveyance of title or rights and easements to any  
18 property needed by the district to effect its purposes in  
19 connection with the acquisition, construction, or operation of the  
20 system.

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2009.