

1-1 By: Wentworth S.B. No. 581
1-2 (In the Senate - Filed January 29, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 9, 2009, reported favorably by the
1-5 following vote: Yeas 8, Nays 0; March 9, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to intermunicipal commuter rail districts.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subsection (c), Section 2, Article 6550c-1,
1-11 Revised Statutes, is amended to read as follows:

1-12 (c) The following political subdivisions and other public
1-13 entities may become a part of a district created under Subsection
1-14 (b) of this section with the approval of the governing body of the
1-15 political subdivision or public entity:

1-16 (1) a county located adjacent to a county in which a
1-17 creating municipality is located; ~~and~~

1-18 (2) a municipality with a population of more than
1-19 18,000 located in a county described by Subdivision (1) of this
1-20 subsection; and

1-21 (3) a public entity located in a county that has become
1-22 a part of the district.

1-23 SECTION 2. Section 3, Article 6550c-1, Revised Statutes, is
1-24 amended by amending Subsection (b) and adding Subsection (i) to
1-25 read as follows:

1-26 (b) The board is composed of the following members:

1-27 (1) two public members appointed by the commission;

1-28 (2) one elected member of the governing body of each
1-29 political subdivision that has become a part of the district under
1-30 Section 2 of this article;

1-31 (3) one elected member appointed by the regional
1-32 planning organization of which a creating municipality is a part;

1-33 (4) one member appointed by each creating municipality
1-34 to represent the business community of the municipality;

1-35 (5) one member appointed by each authority created
1-36 under Chapter 451, Transportation Code, that serves a creating
1-37 municipality;

1-38 (6) one member appointed by each county in which a
1-39 creating municipality is located to represent transportation
1-40 providers that provide service to rural areas in the county; ~~and~~

1-41 (7) one member appointed by each public entity that
1-42 has become a part of the district under Section 2 of this article;
1-43 and

1-44 (8) one member appointed by all other board members to
1-45 represent all municipalities in the district that do not otherwise
1-46 have representation on the board and who shall be an elected
1-47 official of one of those municipalities.

1-48 (i) The board shall adopt a name for the district and may by
1-49 resolution change the name of the district.

1-50 SECTION 3. Subsection (e), Section 4, Article 6550c-1,
1-51 Revised Statutes, is amended to read as follows:

1-52 (e) A district may acquire, construct, develop, own,
1-53 operate, and maintain intermodal and commuter rail facilities, or
1-54 intercity or other types of passenger rail services, inside, or
1-55 connect political subdivisions in, the district. For these
1-56 purposes and with the consent of any municipality, county, or other
1-57 political subdivision, the district may use streets, alleys, roads,
1-58 highways, and other public ways of any municipality, county, or
1-59 other political subdivision and may relocate, raise, reroute,
1-60 change the grade of, or alter, at the expense of the district, the
1-61 construction of any street, alley, highway, road, railroad,
1-62 electric lines and facilities, telegraph and telephone properties
1-63 and facilities, pipelines and facilities, conduits and facilities,
1-64 and other properties, whether publicly or privately owned, as

2-1 necessary or useful in the construction, reconstruction, repair,
2-2 maintenance, and operation of the system. A district may not use or
2-3 alter a road or highway in the state highway system without the
2-4 permission of the commission or a railroad without permission of
2-5 the railroad. A district may at its discretion acquire by purchase
2-6 any interest in real property for the acquisition, construction, or
2-7 operation of any commuter rail facility on terms and at a price as
2-8 agreed to between the district and the owner. The governing body of
2-9 any municipality, county, other political subdivision, or public
2-10 agency may make conveyance of title or rights and easements to any
2-11 property needed by the district to effect its purposes in
2-12 connection with the acquisition, construction, or operation of the
2-13 system.

2-14 SECTION 4. This Act takes effect immediately if it receives
2-15 a vote of two-thirds of all the members elected to each house, as
2-16 provided by Section 39, Article III, Texas Constitution. If this
2-17 Act does not receive the vote necessary for immediate effect, this
2-18 Act takes effect September 1, 2009.

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