

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1609 by Hegar (Relating to the control of access to state highways by the Texas Department of Transportation.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Texas Transportation Commission to adopt rules to provide procedures for appealing a decision by a Texas Department of Transportation (TxDOT) district office to deny access to a specific location on a controlled access highway, including procedures that allow an applicant to appeal the denial to the design division of TxDOT; grant the requested access to the applicant if the appeal is not decided before the 91st day after the appeal was filed; allow the applicant to appeal the decision of the design division to the executive director of TxDOT; and, if the decision is affirmed, to a board of variance appointed by the executive director.

Based on the analysis and information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation, 360 State Office of Administrative Hearings

LBB Staff: JOB, KJG, TG