

SENATE AMENDMENTS

2nd Printing

By: Smith of Harris

H.B. No. 2433

A BILL TO BE ENTITLED

AN ACT

relating to the powers of certain freight rail districts.

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

SECTION 1. Section 171.053, Transportation Code, is amended to read as follows:

Sec. 171.053. INTERMUNICIPAL COMMUTER RAIL DISTRICT POWERS. The governing bodies of the county or counties and of the most populous municipality in the most populous county may provide that the district may exercise the powers of an intermunicipal commuter rail district created under Article 6550c-1, Revised Statutes, including the powers related to a commuter rail facility, by specifying in the concurrent order or ordinance creating the district that those powers may be exercised by the district.

SECTION 2. Subchapter F, Chapter 171, Transportation Code, is amended by adding Section 171.256 to read as follows:

Sec. 171.256. LOCAL GOVERNMENT FINANCING. (a) Section 8(d), Article 6550c-1, Revised Statutes, relating to the limit on payments made by a local government does not apply to a district to which Section 171.053 applies.

(b) A district to which Section 171.053 applies may use money paid to the district by a local government outside the territory of the local government if the money is used for a public purpose of the local government.

(c) A district to which Section 171.053 applies may pledge

1 money paid to the district by a local government to secure the
2 payment of a district debt.

3 SECTION 3. This Act takes effect September 1, 2009.

ADOPTED

APR 30 2009

Atty Gen
Secretary of the Senate

By: Williams

H.B. No. 2433

Substitute the following for H.B. No. 2433:

By: Wentworth

C.S.H.B. No. 2433

A BILL TO BE ENTITLED

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2 relating to the powers of certain freight rail districts.

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

4 SECTION 1. Section 171.053, Transportation Code, is amended
5 to read as follows:

6 Sec. 171.053. INTERMUNICIPAL COMMUTER RAIL DISTRICT
7 POWERS. The governing bodies of the county or counties and of the
8 most populous municipality in the most populous county may provide
9 that the district may exercise the powers of an intermunicipal
10 commuter rail district created under Article 6550c-1, Revised
11 Statutes, including the powers related to a commuter rail facility
12 and other types of passenger rail services, including intercity
13 rail services, by specifying in the concurrent order or ordinance
14 creating the district that those powers may be exercised by the
15 district.

16 SECTION 2. Subchapter F, Chapter 171, Transportation Code,
17 is amended by adding Section 171.256 to read as follows:

18 Sec. 171.256. LOCAL GOVERNMENT FINANCING. (a) Section
19 8(d), Article 6550c-1, Revised Statutes, relating to the limit on
20 payments made by a local government does not apply to a district to
21 which Section 171.053 applies.

22 (b) A district to which Section 171.053 applies may use
23 money paid to the district by a local government outside the
24 territory of the local government if the money is used for a public

1 purpose of the local government.

2 (c) A district to which Section 171.053 applies may pledge
3 money paid to the district by a local government to secure the
4 payment of a district debt.

5 SECTION 3. This Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 30, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB2433 by Smith, Wayne (Relating to the powers of certain freight rail districts.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend Section 171.053, Transportation Code, and add Section 171.256 to the Transportation Code. Districts created under Chapter 171, Transportation Code, may be created only in a county with a population of 3.3 million or in a county adjacent to that county.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, SD, KJG, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 15, 2009

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

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

IN RE: HB2433 by Smith, Wayne (Relating to the powers of certain freight rail districts.),
Committee Report 2nd House, Substituted

No fiscal implication to the State is anticipated.

The bill would amend Section 171.053, Transportation Code, and add Section 171.256 to the Transportation Code. Districts created under Chapter 171, Transportation Code, may be created only in a county with a population of 3.3 million or in a county adjacent to that county.

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Source Agencies:

LBB Staff: JOB, KJG, DB

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 10, 2009

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

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

IN RE: HB2433 by Smith, Wayne (Relating to the powers of certain freight rail districts.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend Section 171.053, Transportation Code, and add Section 171.256 to the Transportation Code. Districts created under Chapter 171, Transportation Code, may be created only in a county with a population of 3.3 million or in a county adjacent to that county.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, KJG, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 12, 2009

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

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

IN RE: HB2433 by Smith, Wayne (Relating to the powers of certain freight rail districts.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Section 171.053, Transportation Code, and add Section 171.256 to the Transportation Code. Districts created under Chapter 171, Transportation Code, may be created only in a county with a population of 3.3 million or in a county adjacent to that county.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, KJG, DB