

SENATE AMENDMENTS

2nd Printing

By: Thibaut

H.B. No. 3082

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the obstruction of streets by certain municipalities.

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

4 SECTION 1. Section 311.001, Transportation Code, is amended
5 by adding Subsection (c) to read as follows:

6 (c) Notwithstanding Subsection (a) or (b) or Section
7 311.007, a municipality with a population of 1.9 million or more may
8 not permanently obstruct all or part of a street in the municipality
9 that has previously been open to traffic unless the governing body
10 of the municipality:

11 (1) holds a public hearing on the issue of the
12 obstruction; and

13 (2) approves the obstruction by a majority vote.

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

ADOPTED

MAY 25 2009

Atty Gen
Secretary of the Senate

By: *[Signature]*
Substitute the following for H.B. No. 3082:
By: *[Signature]*

H.B. No. 3082

C.S. H.B. No. 3082

A BILL TO BE ENTITLED

AN ACT

relating to the obstruction of streets by certain municipalities.

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

SECTION 1. Section 311.001, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding Subsection (a) or (b) or Section 311.007, before a municipality with a population of 1.9 million or more may install traffic calming measures within the municipality, the governing body of the municipality must:

(1) publish standards and criteria, which must include sufficient notice to allow the governing body to receive and consider public comments from residents within one-half mile of the proposed traffic calming measure;

(2) on request of affected residents, schedule and hold a public meeting before implementation of the measure; and

(3) if the measure involves the closure of a street to motor vehicular traffic, before the closure:

(A) hold a public hearing on the issue of the closure; and

(B) approve the closure by a majority vote.

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

1 Act takes effect September 1, 2009.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

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

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

IN RE: HB3082 by Thibaut (Relating to the obstruction of streets by certain municipalities.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Based on the applicability criteria within the bill, it would apply only to the City of Houston.

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, SZ, KJG, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 18, 2009

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

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

IN RE: HB3082 by Thibaut (Relating to the obstruction of streets by certain municipalities.),
Committee Report 2nd House, Substituted

No fiscal implication to the State is anticipated.

Based on the applicability criteria within the bill, it would apply only to the City of Houston.

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

May 14, 2009

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

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

IN RE: HB3082 by Thibaut (Relating to the obstruction of streets by certain municipalities.), **As Engrossed**

No fiscal implication to the State is anticipated.

Based on the applicability criteria within the bill, it would apply only to the City of Houston.

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

April 9, 2009

TO: Honorable Yvonne Davis, Chair, House Committee on Urban Affairs

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

IN RE: HB3082 by Thibaut (Relating to the obstruction of streets by certain municipalities.), **As Introduced**

No fiscal implication to the State is anticipated.

Based on the applicability criteria within the bill, it would apply only to the City of Houston.

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, DB