

BILL ANALYSIS

H.B. 634
By: McClendon
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes the Texas Department of Transportation (TxDOT) to engage in marketing, advertising, and other activities to promote the development and use of toll projects. However, during a recent sunset review of TxDOT's systems, practices, and procedures, the Sunset Advisory Commission adopted a recommendation to strengthen the lobbying prohibitions that apply to TxDOT. Under the recommendation, lobbying includes any activity that promotes the use of toll roads, the use of tolls as a financial mechanism, or the benefits of toll roads in order to sway public opinion or influence the passage or defeat of legislation relating to toll roads and toll projects.

H.B. 634 changes TxDOT's authority to conduct informational campaigns about toll projects and toll-related resources available to the public. The bill differentiates between toll project information and toll project promotion, which is prohibited.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 634 amends the Transportation Code to authorize the Texas Department of Transportation (TxDOT) to engage in marketing, advertising, and other activities for the purpose of providing information relating to the status of pending or ongoing toll projects or the use and availability of toll tags or other toll-related resources available to the public, rather than for the purpose of promoting the development and use of toll projects. The bill specifies that TxDOT is not authorized by the bill's provisions to engage in marketing, advertising, or other activities for the purpose of influencing public opinion about the use of toll roads or the use of tolls as a financial mechanism or promoting or advocating for the benefits of toll roads. The bill makes conforming changes.

EFFECTIVE DATE

September 1, 2011.