

BILL ANALYSIS

H.B. 699
By: Deshotel
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Port Authority Advisory Committee advises the state on issues relating to ports. In practice, some of the committee's duties specified in the law have proven to be inappropriate and unnecessary. At the time the original law was enacted, the term port was generally understood to refer to facilities serving waterborne commerce. In the intervening years, the definition of port has expanded to include other types of facilities, such as ports of entry, inland ports, air cargo facilities, and intermodal terminals located hundreds of miles from the nearest ocean.

H.B. 699 clarifies that the term port refers to ocean ports by inserting the term maritime before the word port in provisions relating to port security, transportation, or facility projects and related studies and to the composition of the Port Authority Advisory Committee. The bill specifies that the committee consists of certain members who represent maritime ports and removes from the duties of the committee the requirement to maintain trade data. The bill requires the committee to prepare a biennial information report and repeals a provision requiring the committee to prepare and annually update a port capital program.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 2 of this bill.

ANALYSIS

H.B. 699 amends the Transportation Code to specify that the definition of "port security, transportation, or facility project" relates to a maritime port, rather than a port, and to require the appointment of six members of the Port Authority Advisory Committee who represent certain maritime ports, rather than certain ports. The bill requires the advisory committee, in addition to its established duties, not later than December 1 of each even-numbered year to prepare and submit to the Texas Transportation Commission a report for distribution to the governor, the lieutenant governor, and the speaker of the house of representatives on the state of maritime ports in Texas, including any information on the economic impact of port activities that the committee considers relevant. The bill removes provisions requiring the committee to maintain trade data information and annually prepare the list of recommended projects required by law. The bill repeals a provision requiring the committee to prepare and annually update a port capital program.

H.B. 699 authorizes the Texas Transportation Commission, by rule, to establish matching fund requirements for receiving money from the port access account fund and removes a provision prohibiting the Texas Department of Transportation from funding a port security, transportation, or facility project unless matching funds are provided by a port authority or navigation district.

H.B. 699 repeals Section 55.008, Transportation Code.

EFFECTIVE DATE

September 1, 2011.