

## **BILL ANALYSIS**

H.B. 3390  
By: Lavender  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that Texas is a state that contributes significantly more money to the federal government in the form of taxes than received back in the form of aid and that federal regulations place significant restrictions on how the state can use the highway funds received from the federal government. H.B. 3390 seeks to address these issues by establishing provisions relating to money allocated under the federal-aid highway program.

### **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. 3390 amends the Transportation Code to authorize the governor, to the extent permitted by federal law, to waive the state's right to receive money allocated under the federal-aid highway program and instead elect to receive the portion of the taxes appropriated to the Highway Trust Fund under the federal Internal Revenue Code of 1986 that is attributable to highway users in Texas, as calculated by the federal law permitting the waiver and election. The bill requires the waiver to comply with all applicable federal requirements associated with the waiver.

H.B. 3390 requires the comptroller of public accounts to conduct a study of how the state might benefit from withdrawing from the federal-aid highway program. The bill requires the study to identify and analyze methods by which the state can withdraw from the federal-aid highway program, including methods that are not dependent on approval of the federal government and the costs and benefits associated with each method. The bill requires the comptroller, not later than January 1, 2013, to submit to the legislature and the presiding officers of the standing committees of the senate and the house of representatives that have jurisdiction over issues related to transportation a report containing a summary of the study.

### **EFFECTIVE DATE**

September 1, 2011.