

## **BILL ANALYSIS**

C.S.S.B. 1068  
By: Ellis  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law does not adequately address the issue of leasing available space in state parking facilities. C.S.S.B. 1068 allows the Texas Facilities Commission to lease unused, unneeded, state-owned parking lot spaces and parking garage spaces to private individuals, institutions of higher education, and local governments under certain conditions.

### **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**

C.S.S.B. 1068 amends the Government Code to authorize the Texas Facilities Commission (TFC) to lease to a private individual an individual parking space in a state-owned parking lot or garage located in the city of Austin if the TFC determines the parking space to be in excess of the number of parking spaces sufficient to accommodate the regular parking requirements of state employees employed near the lot or garage and visitors to nearby state government offices. The bill authorizes the TFC to lease to an institution of higher education or a local government all or a significant block of such a state-owned parking lot or garage if the TFC determines the parking spaces located in the lot or garage to be in excess of the number of parking spaces sufficient to accommodate the regular parking requirements described above.

C.S.S.B. 1068 requires money received from such a lease to a private individual or to an institution of higher education or a local government to be deposited to the credit of the general revenue fund. The bill requires the TFC to ensure that such a lease does not restrict private, commercial uses for state-owned parking lots and garages developed by the TFC for times outside of regular business hours, including special event parking related to institutions of higher education. The bill requires the TFC, in leasing or renewing a lease for a parking space or all or a block of a state-owned parking lot or garage under the bill's provisions, to give preference to an individual or entity that is currently leasing or previously leased the parking space, lot, garage, or a block of the lot or garage, as applicable.

C.S.S.B. 1068 requires the TFC, on or before October 1 of each even-numbered year, to submit a report to the Legislative Budget Board describing the effectiveness of parking programs developed by the commission under statutory provisions governing the lease of space in state-owned property to private tenants. The bill requires the report to include the yearly revenue generated by the programs, the yearly administrative and enforcement costs of each program, yearly usage statistics for each program, and TFC initiatives and suggestions to modify program administration and increase revenue generated by the programs.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.S.B. 1068 contains provisions not included in the original requiring the Texas Facilities Commission (TFC) to ensure that a lease of excess parking space in a state-owned parking lot or garage to a private individual, an institution of higher education, or a local government does not restrict commercial uses for such parking lots and garages developed by the TFC for times outside of regular business hours, including certain special event parking related to an institution of higher education. The substitute contains provisions not included in the original requiring the TFC, in leasing or renewing a lease for certain excess parking space, to give preference to an individual or entity that is currently leasing or previously leased the space. The substitute differs from the original in nonsubstantive ways.