

BILL ANALYSIS

C.S.H.B. 3422
By: Lavender
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas has landscape donation programs for state highways, but these programs are not currently in use for various reasons, including lack of funding, lack of awareness about the programs, and the need to standardize Texas Department of Transportation (TxDOT) agreements with local governments. C.S.H.B. 3422 seeks to address this issue by requiring the Texas Transportation Commission to create a program that would provide TxDOT with more authority to develop methods for landscaping state highways.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3422 amends the Transportation Code to require the Texas Transportation Commission by rule to establish a program under which the Texas Department of Transportation (TxDOT) may accept from any source, including an individual or a private business or organization, donations of landscape materials for state highways. The bill requires the program to also provide for TxDOT to enter into an agreement with an individual or private business or organization for the individual or entity to provide, at no cost to TxDOT, services for the installation or maintenance of landscaping on state highways.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3422 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 392, Transportation Code, is amended by adding Section 392.003 to read as follows:
Sec. 392.003. DONATIONS FOR LANDSCAPE MAINTENANCE.

SECTION 1. Subchapter A, Chapter 392, Transportation Code, is amended by adding Section 392.003 to read as follows:
Sec. 392.003. DONATIONS FOR LANDSCAPE INSTALLATION OR MAINTENANCE.

As authorized by Section 201.206,

As authorized by Section 201.206, the commission by rule shall establish a

the department may:

(1) accept

donations of landscape materials for state highways; and

(2) enter into an agreement with a person to provide for volunteer services to install or maintain landscaping on state highways.

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 Act takes effect September 1, 2013.

program under which the department may accept from any source, including an individual or a private business or organization, donations of landscape materials for state highways. The program shall also provide for the department to enter an agreement with an individual or private business or organization for the individual or entity to provide, at no cost to the department, services for the installation or maintenance of landscaping on state highways.

SECTION 2. Same as introduced version.