

By: Larson

H.B. No. 117

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the Texas Transportation Commission and the selection of members of that commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.051(a), Transportation Code, is amended to read as follows:

(a) The Texas Transportation Commission consists of three ~~[five]~~ members elected statewide ~~[appointed by the governor with the advice and consent of the senate]~~.

SECTION 2. Section 201.052, Transportation Code, is amended to read as follows:

Sec. 201.052. TERMS. Members of the commission serve staggered six-year terms, with the term ~~[terms]~~ of ~~[either]~~ one member ~~[or two members]~~ expiring February 1 of each odd-numbered year.

SECTION 3. Section 201.053(a), Transportation Code, is amended to read as follows:

(a) The members of the commission shall elect from among their membership ~~[governor shall designate one commissioner as]~~ the chair of the commission, who shall serve as presiding officer of the commission.

SECTION 4. Section 201.057(a), Transportation Code, is amended to read as follows:

(a) It is a ground for removal from the commission if a

1 commissioner:

2 (1) does not have at the time of taking office or  
3 maintain during service on the commission the qualifications  
4 required by Section 201.051;

5 (2) violates a prohibition provided by Section  
6 201.051;

7 (3) cannot discharge the commissioner's duties for a  
8 substantial part of the term for which the commissioner is elected  
9 or appointed because of illness or disability; or

10 (4) is absent from more than half of the regularly  
11 scheduled commission meetings that the commissioner is eligible to  
12 attend during a calendar year, unless the absence is excused by  
13 majority vote of the commission.

14 SECTION 5. Sections 201.059(a) and (c), Transportation  
15 Code, are amended to read as follows:

16 (a) To be eligible to take office as a member of the  
17 commission, a person elected or appointed to the commission must  
18 complete at least one course of a training program that complies  
19 with this section.

20 (c) A person elected or appointed to the commission is  
21 entitled to reimbursement for travel expenses incurred in attending  
22 the training program, as provided by the General Appropriations Act  
23 and as if the person were a member of the commission.

24 SECTION 6. Section 52.092(c), Election Code, is amended to  
25 read as follows:

26 (c) Statewide offices of the state government shall be  
27 listed in the following order:

- 1 (1) governor;
- 2 (2) lieutenant governor;
- 3 (3) attorney general;
- 4 (4) comptroller of public accounts;
- 5 (5) commissioner of the General Land Office;
- 6 (6) commissioner of agriculture;
- 7 (7) commissioner of transportation;
- 8 (8) railroad commissioner;
- 9 (9) [~~(8)~~] chief justice, supreme court;
- 10 (10) [~~(9)~~] justice, supreme court;
- 11 (11) [~~(10)~~] presiding judge, court of criminal
- 12 appeals;
- 13 (12) [~~(11)~~] judge, court of criminal appeals.

14 SECTION 7. Sections 201.051(b), (b-1), (c), and (i),  
15 Transportation Code, are repealed.

16 SECTION 8. (a) The first members of the Texas  
17 Transportation Commission elected under the changes in law made by  
18 this Act shall be elected at the general election held in November  
19 2014 to serve for a term that begins February 1, 2015. The members  
20 elected at that election shall draw lots to determine which  
21 member's term expires February 1, 2017, which member's term expires  
22 February 1, 2019, and which member's term expires February 1, 2021.

23 (b) Until the members of the Texas Transportation  
24 Commission elected under this Act take office, the governor will  
25 continue to appoint members to the Texas Transportation Commission  
26 and those members shall, unless otherwise removed as provided by  
27 law, continue in office under the prior law that governed the

H.B. No. 117

1 composition of the Texas Transportation Commission, and that prior  
2 law is continued in effect for that purpose.

3 SECTION 9. This Act takes effect September 1, 2013.