

BILL ANALYSIS

S.B. 1511
By: Hancock
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state law requires the population of a municipality, for purposes of the applicability of laws relating to subregional boards of certain regional transportation authorities, to be determined based on the most recent federal census, unless there has not been a federal census in the preceding five years. If there has not been a census within the preceding five years, the latest population estimate of the appropriate metropolitan planning organization is deemed sufficient. Concerned observers note that the populations of many Texas cities, such as Fort Worth, have increased to such an extent that their respective population estimates soon will exceed the population brackets specified by the statutes under which they currently operate. S.B. 1511 seeks to allow certain subregional boards to continue operating under the laws that currently apply to them.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

S.B. 1511 amends the Transportation Code to increase from 800,000 to 1.1 million the population threshold of the principal municipality in a subregion of a regional transportation authority, above which different sets of statutory provisions relating to a subregional board apply, depending on whether the subregion has or does not have a principal municipality with a population above that threshold. The bill specifies that the population in those provisions is the population according to the most recent federal decennial census. The bill increases from nine to 11 the number of board members serving on a subregional board in a subregion having no principal municipality with a population of more than 1.1 million by increasing, when the entire county of the principal municipality is included in the authority, the number of members appointed by each the governing body of the principal municipality and the commissioners court of the county of the principal municipality from four to five and by increasing, when the entirety of such county is not included in the authority, the number of members appointed by the county commissioners court from one to three. The bill increases from nine to 11 the number of members appointed to an interim subregional board of a subregion having no principal municipality with a population of more than 1.1 million.

S.B. 1511 requires, in a unit of election with a population of less than 10,000 according to the most recent federal decennial census that withdraws from an authority consisting of one subregion that is governed by a subregional board but that has no principal municipality with a

population of more than 1.1 million, title to all real estate in the unit of election owned or partially owned by the authority, including improvements made by the authority, except a right-of-way or an improvement to a right-of-way, to immediately vest in the authority. The bill authorizes the authority to continue to use the real estate and improvements in the withdrawn unit of election as may be determined by the authority to be necessary for the continuation of service to other units of election, to satisfy the authority's remaining federal grant obligation for the real estate and improvements, or for the operation of a public transportation system. The bill establishes that an authority is responsible for all operation and maintenance costs of the property and improvements located in the withdrawn unit of election that are so owned or partially owned by the authority.

S.B. 1511 establishes that certain statutory provisions determining the total financial obligation of a withdrawn unit of election to an applicable authority do not apply in determining the total financial obligation of a withdrawn unit of election to an authority that consists of one subregion governed by a subregional board but having no principal municipality with a population of more than 1.1 million and excludes from the unit's apportioned share of the authority's outstanding obligations any financial, contractual, or other obligations incurred by the authority between the date that an election to withdraw is ordered and the date of the canvass of the election. The bill requires the authority directors who serve as the governing body of the authority to determine the total financial obligation of the withdrawn unit of election not later than the 180th day after the date the election is called. These provisions relating to the total financial obligation of a withdrawn unit of election apply to an election to withdraw that is ordered before, on, or after September 1, 2015, and expire August 31, 2016.

S.B. 1511 amends the Tax Code to make conforming changes.

EFFECTIVE DATE

September 1, 2015.