

By: Darby

H.B. No. 3302

A BILL TO BE ENTITLED

AN ACT

relating to highway landscaping projects.

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

SECTION 1. Subchapter A, Chapter 392, Transportation Code, is amended by adding Sections 392.004 and 392.005 to read as follows:

Sec. 392.004. NATIVE OR REGIONALLY APPROPRIATE LANDSCAPING. The department shall establish guidelines for beautification projects on state highway rights-of-way that require the projects to use only native or regionally appropriate plants. The guidelines must prioritize the use of plants that are:

(1) low maintenance; and

(2) drought resistant if used for a project located in an area of this state that experiences frequent droughts.

Sec. 392.005. EXPENDITURES FOR HIGHWAY LANDSCAPING. (a)
In this section, "landscaping improvement" means:

(1) the planting of native or regionally appropriate plants selected under the guidelines established under Section 392.004; or

(2) the preparation of the soil and installation of irrigation systems for the growth of plants described by Subdivision (1).

(b) For each contract for a highway project that is in an amount of [\$5] million or more, the department shall allocate money

1 for landscaping improvements to the district or districts in which
2 the project is located. If the project is located more than one
3 district, the department shall divide the allocation according to
4 the amount under the contract to be spent in each district.

5 (c) The total amount allocated for a contract under
6 Subsection (b) may not exceed:

7 (1) one percent of the total amount to be spent under
8 the contract for construction, maintenance, or improvement of the
9 highway if that total amount is less than \$50 million; or

10 (2) one-half of one percent of the total amount to be
11 spent under the contract for construction, maintenance, or
12 improvement of the highway if that total amount is \$50 million or
13 more.

14 (d) A district that receives an allocation under Subsection
15 (b) may spend the amount only for landscaping improvements
16 associated with:

17 (1) the highway project that is the subject of the
18 contract for which the allocation is made; or

19 (2) another highway or highway segment located in the
20 district.

21 SECTION 2. This Act takes effect September 1, 2015.