

By: Romero, Jr.

H.B. No. 3984

Substitute the following for H.B. No. 3984:

By: Hunter

C.S.H.B. No. 3984

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a study by the Texas Department of Transportation on the  
3 use of municipal impact fees for roadway facilities.

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

5 SECTION 1. Subchapter B, Chapter 395, Local Government  
6 Code, is amended by adding Section 395.0115 to read as follows:

7 Sec. 395.0115. STUDY OF MUNICIPAL IMPACT FEES TO PAY FOR  
8 ROADWAY FACILITIES. (a) The Texas Department of Transportation  
9 shall conduct a study to determine the feasibility of using  
10 municipal impact fees to pay for roadway facilities that are  
11 necessary due to municipal development.

12 (b) The Texas Department of Transportation must examine:

13 (1) the roadway facility needs of municipalities;

14 (2) the amount of debt incurred by municipalities for  
15 roadway facilities;

16 (3) the practicability of adopting impact fees for  
17 roadway facilities in a municipality's roadway plan, including  
18 costs associated with the imposition and collection;

19 (4) the potential and known effects of the imposition  
20 and collection of impact fees on local transportation needs;

21 (5) the potential and known effects of the imposition  
22 and collection of impact fees on the municipality's debt; and

23 (6) the practicability and potential effects of  
24 remitting five percent of a municipality's impact fees to the

1 department for the construction and maintenance of state highways  
2 attributable to development in the municipality.

3 (c) From the results of the study the Texas Department of  
4 Transportation shall determine:

5 (1) the population threshold of a municipality for  
6 which the imposition and collection of impact fees for roadway  
7 facilities in the municipality's roadway plan is administratively  
8 feasible;

9 (2) viable alternatives to municipal impact fees in  
10 municipalities where the imposition and collection of impact fees  
11 is not administratively feasible; and

12 (3) to what extent, if any, the adoption of impact fees  
13 would alleviate the debt burden of municipalities.

14 (d) The Texas Department of Transportation shall provide  
15 the results of the study to the members of the legislature not later  
16 than September 1, 2016.

17 (e) This section expires September 1, 2017.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2015.