

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 24, 2015**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB20** by Simmons (Relating to the operations of and transportation planning and expenditures by the Texas Department of Transportation and local transportation entities.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would establish a State Infrastructure Advisory Committee (SIAC) composed of three Senate members appointed by the Lieutenant Governor and three House members appointed by the Speaker of the House. The bill would require certain TxDOT senior staff and the staff of the Texas Transportation Commission (TTC) to serve as staff support for the committee. The SIAC would be authorized to hold public hearings, formal meetings, or work sessions at any time. The bill would require the SIAC to submit a report to the TTC regarding transportation funding, project selection, and financing matters for use by the TTC. TxDOT would be required, on the recommendation of the SIAC, to enter into a contract with an independent firm for a forensic audit of the actions of TxDOT or the TTC in an area of interest determined by the committee.

The bill would require TTC to establish one or more stakeholder advisory committees to make recommendations to TTC or TxDOT before the adoption of a rule, policy, or procedure affecting the stakeholders and require advisory committee meetings to be made accessible to the public in person or through electronic means.

The bill would require TxDOT to work with all local transportation entities in the state to develop and adopt uniform guidelines governing the funding prioritization of the entities' transportation projects. The bill would require the TTC to establish a project selection stakeholders advisory committee, composed of representatives from metropolitan planning organizations and regional mobility authorities and TxDOT District Engineers, to review proposed guidelines from each local transportation entity and recommend to TxDOT uniform guidelines for adoption and approval by the TTC. Each local transportation entity and TxDOT district would be required to submit to TxDOT the funding prioritization for transportation projects in the entity's jurisdiction using the uniform guidelines.

The bill would require TxDOT to establish and the TTC to approve a performance-based process for setting category funding levels in TxDOT's Unified Transportation Program (UTP). The bill would require TxDOT to consider a zero-based budget approach to address safety, maintenance, congestion, connectivity, economic development, and other needs. The bill would require TxDOT to develop and the TTC to approve a point system for prioritization of projects for which financial assistance is sought from the commission. The bill would prohibit TxDOT and the TTC from approving a deviation from TxDOT's selection of projects for funding of more than 10 percent of

TxDOT's current biennial budget. The bill would require the SIAC to review a deviation before the TTC could take action on the deviation.

The bill would require TxDOT to develop and implement a performance-based planning and programming process, to be approved by the TTC, to provide the executive and legislative branches of government with indicators to assess progress toward attaining all department goals and objectives established by the Legislature and the TTC.

Information provided by TxDOT indicates that implementation of the bill would require the allocation of additional personnel and resources to transportation project selection and programming activities. It is assumed TxDOT would also incur additional costs to contract with independent firms to conduct forensic audits at the direction of the SIAC. The amount of additional costs to TxDOT would depend on the manner in which TxDOT and the SIAC execute the responsibilities prescribed by the bill, and it is assumed any costs or duties associated with implementation could be absorbed within existing resources.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG