

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

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

**May 18, 2015**

**TO:** Honorable Robert Nichols, Chair, Senate 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 planning organizations.),  
**Committee Report 2nd House, Substituted**

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

The bill would amend Section 201.809, Transportation Code, to require the Texas Transportation Commission (TTC) by rule to develop and implement a performance-based planning and programming process that would provide the governor and the Legislature with indicators that quantify and qualify progress toward attaining all of the goals and objectives established for the department by the Legislature and the commission. The bill would require TTC by rule to develop and implement certain performance metrics and measures and implement period reporting schedules for all metrics and measures prescribed by the bill.

The bill would require local transportation organizations in the state to develop a 10-year plan for the use of funding allocated to the region for which the organization develops plans under Subchapter P, Chapter 201 of the Transportation Code. The bill would require the Texas Department of Transportation (TxDOT) to assist the planning organizations by providing information as is reasonably requested by the planning organizations.

The bill would amend the Section 223.242 of the Transportation Code to specify that the Texas Department of Transportation (TxDOT) may enter into a design-build contract for a highway project with a construction cost estimate of \$250 million or more to the department rather than \$50 million or more under current law. The bill would repeal the August 31, 2015, expiration date on the provision that prohibits TxDOT from entering into more than three design-build contracts in a fiscal year. The bill stipulate that a maintenance agreement requiring a design-build contractor to maintain a project may have an initial term of not longer than five years.

The bill would establish a nine-member House Select Committee on Transportation Planning and a five-member Senate Select Committee on Transportation Planning and require the Speaker of the House and the Lieutenant Governor to appoint the members and designate the chairs of their chambers' respective committees not later than the earlier of 30 days after the bill takes effect or September 1, 2015. The bill would require the select committees, meeting jointly or separately, to review, study, and evaluate certain aspects of transportation funding, project selection and prioritization, performance measures and metrics, and policymaking; and, not later than November 1, 2016, jointly adopt and provide a written report of recommendations on the reviewed subjects to the Legislature. The bill would require TxDOT to submit a report to the select committees that provides information necessary for those committees to review certain factors

under the committees' charges.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

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

**Source Agencies:** 601 Department of Transportation

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