

By: Ashby

H.B. No. 2173

A BILL TO BE ENTITLED

AN ACT

relating to a report by the Texas Department of Transportation and the Legislative Budget Board on high-speed rail projects.

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

SECTION 1. Subchapter A, Chapter 111, Transportation Code, is amended by adding Section 111.005 to read as follows:

Sec. 111.005. REPORT ON HIGH-SPEED RAIL BY DEPARTMENT AND LEGISLATIVE BUDGET BOARD. (a) In this section, "high-speed rail" means intercity passenger rail service that is reasonably expected to reach speeds of at least 110 miles per hour.

(b) A state senator or representative may submit a request to the department for a report on a proposed high-speed rail project.

(c) If the department receives a request under Subsection (b), the department shall prepare a report on the proposed high-speed rail project that includes:

(1) an assessment of whether the project serves a public use, as described by Section 17, Article I, Texas Constitution;

(2) an assessment of whether projected ridership numbers are sufficient to provide the project with revenue that will cover the maintenance and operation costs of the project;

(3) any projected changes to costs of local and state transportation projects that could result from the project;

1           (4) any projected costs to communities near the  
2 project that could result from the project; and

3           (5) any projected decreases in land value near the  
4 project that could result from the project.

5           (d) The department shall collaborate with the Legislative  
6 Budget Board on the financial issues in the report.

7           (e) Not later than the 45th day after the date the  
8 department receives a request for a report, the department shall  
9 hold at least one public hearing to receive public input on the  
10 issues described by Subsection (c).

11           (f) After the department holds a public hearing, and not  
12 later than the 90th day after the date the department receives a  
13 request for a report, the department shall submit a preliminary  
14 report to the governor, the lieutenant governor, and the speaker of  
15 the house of representatives.

16           (g) Not earlier than the 30th day and not later than the 60th  
17 day after the date the department submits the preliminary report,  
18 the department shall publish a final report on the department's  
19 Internet website.

20           (h) The department is not required to prepare more than one  
21 report under this section for a particular high-speed rail project  
22 per year.

23           (i) A party to a suit in which a private entity alleges that  
24 the entity may use the power of eminent domain for a high-speed rail  
25 project, regardless of whether the alleged power is statutorily  
26 authorized, may submit a report described by this section on the  
27 project as evidence of whether the project serves a public use, as

1 described by Section 17, Article I, Texas Constitution.

2           SECTION 2. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2017.