

## **BILL ANALYSIS**

Senate Research Center  
86R25447 AAF-D

C.S.S.B. 1553  
By: Lucio  
Transportation  
4/17/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, public and private schools and institutions of higher education are authorized to request a hearing to consider a creation of a school zone to lower speed limits. However, even though charter schools are a part of the public school system in Texas, they are not specifically included in the list of educational institutions that can request hearings. Furthermore, there is no structure in place to re-examine an unfavorable decision made by the governing body of a municipality. Without any new laws, school districts and charter schools will not be able to effectively ensure the safety of their students near their campuses.

S.B. 1553 proposes several improvements to current law that would help ensure the safety of children near schools. Specifically, S.B. 1553 would add charter schools to the list of schools that can request a hearing. Additionally, S.B. 1553 would also give the governing bodies of schools the ability to request an engineering and traffic investigation after a public hearing. By putting these reforms into place, school districts and charter schools can create a safer learning environment for students. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1553 amends current law relating to the process for establishing speed limits on roads near certain schools.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 545.355(b), Transportation Code, to authorize the commissioners court of a county to declare certain lower speed limits, including a lower speed limit of not less than 20 miles per hour on a county road or highway to which this section (Authority of County Commissioners Court to Alter Speed Limits) applies that is located within 500 feet of an elementary, secondary, or open-enrollment charter school or an institution of higher education, if approved under Section 545.357.

SECTION 2. Amends Section 545.357, Transportation Code, as follows:

Sec. 545.357. New heading: CONSIDERATION OF SPEED LIMITS WHERE CERTAIN SCHOOLS ARE LOCATED. (a) Requires the governing body of a municipality in which a public or private elementary or secondary school, an open-enrollment charter school, or an institution of higher education is located to, on request of the governing body of a school or institution of higher education, to hold a certain public hearing at least once each calendar year, rather than requiring the governing body of a municipality in which a public or private elementary or secondary school or an institution of higher education as defined by Section 61.003(8) (relating to defining "institution of higher education") or (15) (relating to the defining "private or independent institution of higher education"), Education Code, is located to on request to hold a certain public hearing at least once each calendar year.

(b) Requires the commissioners court of the county, if a county road outside the state highway system is located within 500 feet of an open-enrollment charter school, among certain other educational entities, on request of the governing body of a school or institution of higher education, to hold a certain public hearing at least once each calendar year.

(c) Authorizes a municipal governing body or commissioners court, on request of the governing body of a school or institution of higher education, to hold one public hearing for all public and private elementary and secondary schools, open-enrollment charter schools, and institutions of higher education in its jurisdiction, rather than authorizes a municipal governing body or commissioners court, on request, to hold one public hearing for all public and private elementary and secondary schools and institutions of higher education in its jurisdiction.

(d) Requires the Texas Transportation Commission (TTC), on request of the governing body of a school or institution of higher education, to hold a certain public hearing at least once each calendar year, rather than requires TTC, on request, to hold a certain public hearing at least once each calendar year.

(e) Requires the commissioners court, municipal governing body, or TTC, as applicable, on request of the governing body of a school or institution of higher education following a public hearing held under this section, to conduct an engineering and traffic investigation for the highway or road that is the subject of the request. Provides that, on review of the results of the investigation, the commissioners court, municipal governing body, or TTC has the same authority and discretion to alter prima facie speed limits as provided by Section 545.353 (Authority of Texas Transportation Commission to Alter Speed Limits), 545.355 (Authority of County Commissioners Court to Alter Speed Limits), or 545.356 (Authority of Municipality to Alter Speed Limits), as applicable. Authorizes the governing body of a school or institution of higher education, following each public hearing held under this section, to make only one request under this subsection for an engineering and traffic investigation.

(f)(1) Defines "governing body of a school or institution of higher education" as:

(A) the board of trustees of the school district in which a public elementary or secondary school is located;

(B) the governing body of a private elementary or secondary school;

(C) the governing body of an open-enrollment charter school; or

(D) the governing board of an institution of higher education.

(2) Defines "institution of higher education."

(3) Defines "open-enrollment charter school."

SECTION 3. Effective date: September 1, 2019.