

BILL ANALYSIS

C.S.H.B. 3512
By: Canales
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls from across the state to honor the selfless service of peace officers who have made the ultimate sacrifice for their communities. C.S.H.B. 3512 seeks to recognize these brave individuals by requiring the Texas Department of Transportation to place memorial signs displaying each officer's name along certain highways in their honor.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3512 amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to design, construct, repair, and replace memorial signs for certain peace officers and to maintain the grounds for each sign. The bill requires TxDOT to place the signs as follows:

- for Trooper Moises Sanchez, on or near the portion of Interstate Highway 69C in Hidalgo County between its intersection with Farm-to-Market Road 1925 and its intersection with Trenton Road;
- for Trooper Troy Hogue, on or near the portion of Interstate Highway 20 in Howard County between mile marker 173 and mile marker 190;
- for Corporal Willie Dale Taylor, on or near the portion of Interstate Highway 10 in Crockett County between mile marker 363 and mile marker 368;
- for Trooper Javier Arana Jr., on or near the portion of State Highway Loop 375 in El Paso County between mile marker 41 and mile marker 44;
- for Sergeant William J. Kuhnle Jr. and Trooper Ralph G. Zerda, on or near the portion of U.S. Highway 90 in Bexar County between its intersection with State Highway 211 and its intersection with Montgomery Road;
- for Trooper Richard Dale Cottle, on or near the portion of Interstate Highway 35 in McLennan County between mile marker 341 and mile marker 351;
- for Trooper Timothy Wade McDermott, on or near the portion of U.S. Highway 80 in Gregg and Harrison Counties between its intersection with U.S. Highway 259 and its intersection with State Loop 281;
- for Trooper Mark Jeffrey Phebus, on or near the portion of Farm-to-Market Road 1774 in Montgomery County between its intersection with Misty Meadow Drive and its intersection with Hunters Road;

- for Trooper David Irvine Rucker, on or near the portion of State Highway 100 in Cameron County between its intersection with Farm-to-Market Road 523 and its intersection with Farm-to-Market Road 3069;
- for Trooper Chad M. Walker, at or near the intersection of State Highway 164 and Farm-to-Market Road 1953 in Limestone County; and
- for Trooper Daniel Higdon, at or near mile marker 571 of Interstate Highway 20 in Smith County.

The bill authorizes TxDOT, for each memorial sign, to place one or more signs in the applicable location. The bill authorizes TxDOT in coordination with the Department of Public Safety to make nonsubstantive changes regarding the appropriate name and appearance of the memorial signs.

C.S.H.B. 3512 requires TxDOT to accept a grant or donation made to assist in financing the construction and maintenance of a memorial sign and prohibits TxDOT from designing, constructing, or erecting a memorial sign unless a grant or donation of funds is made to TxDOT to cover the respective costs. The bill requires any grants or donations received for the signs to be deposited to the credit of the state highway fund.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3512 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original required TxDOT to provide various memorial highway designations on specified portions of highways in honor of certain deceased peace officers. The substitute requires TxDOT instead to place memorial signs in honor of the peace officers near those specified portions of highway. To account for this change, the substitute replaces the original's requirements for TxDOT to design, construct, and erect markers indicating the memorial highway designations with a requirement for TxDOT to design, construct, and place the memorial signs.

The substitute includes the following provisions, which were absent from the original:

- a requirement for TxDOT to repair and replace each sign and to maintain the grounds for each sign;
- a requirement for TxDOT to accept a grant or donation made to assist in financing the construction and maintenance of a sign;
- a prohibition against TxDOT from designing, constructing, or erecting a memorial sign unless a grant or donation of funds is made to TxDOT to cover the respective costs; and
- a requirement for grants or donations received for the sign to be deposited to the credit of the state highway fund.

The substitute includes two additional peace officers not included in the original to be recognized under the bill's provisions: Trooper Chad M. Walker and Trooper Daniel Higdon.