

BILL ANALYSIS

Senate Research Center

H.B. 3949
By: Martinez (Blanco)
Transportation
5/17/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There have been calls to allow a private or publicly owned port of entry to negotiate with the Texas Department of Transportation (TxDOT) directly to acquire a portion of a state highway that leads to the port itself. It has been noted that a city or county has first right-of-refusal whenever TxDOT is liquidating property, and TxDOT is not currently authorized to sell a portion of a state highway that abuts certain ports to the owner or operator of the port. H.B. 3949 seeks to remedy this situation by authorizing TxDOT to sell certain property interests directly to the owner or operators of privately-owned ports of entry to an international bridge.

H.B. 3949 amends current law relating to the authority of the Texas Department of Transportation to sell a portion of a state highway to the owner or operator of an international port of entry.

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 Subchapter B, Chapter 202, Transportation Code, by adding Section 202.034, as follows:

Sec. 202.034. SALE OF CERTAIN STATE HIGHWAYS ABUTTING PORT OF ENTRY AT INTERNATIONAL BRIDGE. (a) Authorizes the Texas Department of Transportation (TxDOT), notwithstanding any other law, to enter into an agreement to sell a portion of a state highway that abuts a privately owned port of entry at an international bridge to the owner or operator of the port of entry.

(b) Requires that an agreement to sell real property under this section provide for assumption of responsibility for maintenance of the property by the entity that acquires the property.

(c) Provides that the Texas Transportation Commission:

(1) is required to determine the fair value of the state's interest in real property to be sold under this section; and

(2) is authorized to authorize the executive director of TxDOT to execute a deed conveying the state's interest in the property.

(d) Prohibits TxDOT from selling the state's interest in the real property for an amount less than the amount determined under Subsection (c)(1).

(e) Requires that revenue from the sale of property under this section be deposited to the credit of the state highway fund.

SECTION 2. Effective date: upon passage or September 1, 2021.

