87R914 JRR-D

By:  Toth H.B. No. 114

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on certain state agency actions relating to high-speed rail projects.

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

SECTION 1.  Subchapter A, Chapter 112, Transportation Code, is amended by adding Section 112.004 to read as follows:

Sec. 112.004.  RESTRICTIONS ON CERTAIN STATE AGENCY ACTIONS RELATING TO HIGH-SPEED RAIL PROJECTS. (a) In this section:

(1)  "High-speed rail" has the meaning assigned by Section 112.201.

(2)  "State agency" means a board, commission, council, committee, department, office, agency, or other governmental entity in the executive branch of state government. The term does not include an institution of higher education as defined by Section 61.003, Education Code.

(b)  Unless a state agency determines that a private entity has obtained all necessary federal approvals and permits for the construction of a high-speed rail project, the state agency may not:

(1)  issue any permit required for the project; or

(2)  negotiate or enter into an agreement with the private entity for right-of-way access for the project.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.