

## **BILL ANALYSIS**

Senate Research Center  
88R4451 MPF-F

H.B. 4015  
By: Thompson, Ed (Hancock)  
Finance  
5/5/2023  
Engrossed

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

The Texas Department of Transportation (TxDOT) sets, collects, and spends rail safety fees, but because they are deposited into the state's general revenue (GR) fund, they may not be available when needed to fully operate TxDOT's Rail Safety Inspection Program. TxDOT collects rail safety fees from all railroads operating in Texas at a rate approved by the Texas Transportation Commission and the fees fund the program. This poses budgetary challenges because GR funds are highly competitive and subject to statutory, constitutional, and often policy limitations. Because the bulk of TxDOT's GR funding is rail safety fees, these rail safety fee appropriations may be negatively impacted in years of GR funding shortages or when TxDOT is asked to reduce a percentage of GR funding from its budget. H.B. 4015 seeks to address this issue by requiring the rail safety fees to be deposited to the state highway fund and to clarify that the fee is used only for the rail safety program.

H.B. 4015 amends current law relating to the disposition of certain fees collected for the rail safety program.

### **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 111.101(e), Transportation Code, to provide that a fee collected under Section 111.101 (Implementation of Federal Safety Laws; Fees) is required to be deposited to the credit of the state highway fund and is authorized to be used only for the rail safety program, rather than be deposited to the credit of the general revenue fund to be used for the rail safety program.

SECTION 2. Effective date: September 1, 2023.