

BILL ANALYSIS

H.B. 4015
By: Thompson, Ed
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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 the agency 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.

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

H.B. 4015 amends the Transportation Code to change the fund to which the annual fee assessed against railroads operating within Texas must be deposited from the general revenue fund to the state highway fund. The bill clarifies that the fee may be used only for the rail safety program.

EFFECTIVE DATE

September 1, 2023.