

By: Romero, Jr.

H.B. No. 2934

A BILL TO BE ENTITLED

AN ACT

relating to a study by the Texas Department of Transportation on the use of municipal impact fees for roadway facilities.

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

SECTION 1. Subchapter B, Chapter 395, Local Government Code, is amended by adding Section 395.0115 to read as follows:

Sec. 395.0115. STUDY OF MUNICIPAL IMPACT FEES TO PAY FOR ROADWAY FACILITIES. (a) The Texas Department of Transportation shall conduct a study to determine the feasibility of using municipal impact fees to pay for roadway facilities that are necessary due to municipal development.

(b) In conducting the study, the Texas Department of Transportation must consider:

(1) the roadway facility needs of municipalities;

(2) the amount of debt incurred by municipalities for roadway facilities;

(3) the practicability of adopting impact fees for roadway facilities in a municipality's roadway plan, considering costs associated with fee imposition and collection;

(4) the potential and known effects of the imposition and collection of impact fees on local transportation needs;

(5) the potential and known effects of the imposition and collection of impact fees on the municipality's debt; and

(6) the practicability and potential effects of

1 remitting five percent of a municipality's impact fees to the
2 department for the construction and maintenance of state highways
3 attributable to development in the municipality.

4 (c) From the results of the study the Texas Department of
5 Transportation shall determine:

6 (1) the population threshold of a municipality for
7 which the imposition and collection of impact fees for roadway
8 facilities in the municipality's roadway plan is administratively
9 feasible;

10 (2) viable alternatives to municipal impact fees in
11 municipalities where the imposition and collection of impact fees
12 is not administratively feasible; and

13 (3) to what extent, if any, the adoption of impact fees
14 would alleviate the debt burden of municipalities.

15 (d) The Texas Department of Transportation shall provide
16 the results of the study and the determinations under Subsection
17 (c) to the members of the legislature not later than September 1,
18 2024.

19 (e) This section expires September 1, 2025.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2023.