

By: Morales Shaw

H.B. No. 5156

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of fair decision making policies by metropolitan planning organizations.

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

SECTION 1. Subchapter D, Chapter 472, Transportation Code, is amended by adding Section 472.037 to read as follows:

Sec. 472.037. FAIR DECISION MAKING POLICY. (a) Each metropolitan planning organization shall develop and implement a policy for fair decision making in the organization's planning process. In developing the policy, a metropolitan planning organization shall:

(1) analyze the current representation and voting structure of the organization's policy board and any existing committees;

(2) consider:

(A) the current and projected population of the area served by the organization; and

(B) the projected number of jobs that will be created by each potential project considered by the organization;

(3) propose changes to ensure fair and proportional representation on the organization's policy board and any existing committees of:

(A) urban, suburban, and rural communities served by the organization;

1 (B) individuals served by the organization who do
2 not predominantly travel by passenger vehicle; and

3 (C) historically underrepresented and
4 underserved communities served by the organization; and

5 (4) establish guidelines to achieve fair
6 representation, including:

7 (A) proposing new joint powers agreements and
8 bylaws to remedy problems related to fair representation;

9 (B) guidance for adopting proportional voting
10 systems based on residential populations of areas represented by
11 the organization's policy board and any existing committees to
12 provide equal representation for all residents served by the
13 organization; and

14 (C) guidance for the organization to:

15 (i) include individuals from diverse
16 backgrounds on organization committees; and

17 (ii) ensure that the organization is
18 receiving input from individuals from diverse backgrounds that are
19 served by the organization.

20 (b) Not later than July 31, 2024, each metropolitan planning
21 organization shall submit a report to the department summarizing
22 the policy developed by the organization under Subsection (a).
23 This subsection expires August 31, 2024.

24 SECTION 2. This Act takes effect September 1, 2023.