

BILL ANALYSIS

C.S.H.B. 146
By: Geren
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State law recognizes that the use of public roads adjacent to the State Capitol is a matter of concern to the state government. For example, there are statutes that address parking control in the Capitol Complex. The bill author has informed the committee that changes in configurations and alterations of traffic flows on public roads adjacent to the Capitol by local governments will likely impact, at a minimum, the ability of the Department of Public Safety to respond to emergencies and security incidents in the Capitol Complex. C.S.H.B. 146 seeks to provide a method to ensure state government concerns are addressed by a municipality considering certain traffic changes near the Capitol.

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

C.S.H.B. 146 amends the Government Code to require authorization by an affirmative vote of four State Preservation Board (SPB) members before a municipality may take any action, directly or indirectly, that does the following for the portion of Congress Avenue in Travis County between its intersection with the Congress Avenue bridge and its intersection with 11th Street:

- reduces the number of lanes of traffic permanently; or
- closes any lane of traffic for more than 14 consecutive days, other than for the following purposes:
 - a special event, defined as an event that has 50 or more attendees at any time and for which a municipality authorizes the temporary closure of an applicable portion of Congress Avenue or a public highway, street, or alley adjacent to an applicable portion of Congress Avenue;
 - a construction project occurring on or adjacent to an applicable portion of Congress Avenue; or
 - a traffic control plan or pedestrian safety plan in connection with such construction.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 146 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and substitute require approval of four SPB members for certain traffic changes near the State Capitol. However, the versions differ as follows:

- whereas the introduced made the approval requirement applicable to a public highway, street, or alley in the area bounded on the north by Martin Luther King Jr. Boulevard, bounded on the east by Interstate 35, bounded on the south by Lady Bird Lake, and bounded on the west by Lamar Boulevard, the substitute makes the approval requirement applicable to the portion of Congress Avenue in Travis County between its intersection with the Congress Avenue bridge and its intersection with 11th Street;
- the introduced required approval of applicable traffic changes made by either a municipality or county, whereas the substitute requires approval only for such changes made by a municipality;
- both versions require approval for actions that reduce the number of lanes of traffic, but the substitute limits that requirement to lane reductions that are permanent, whereas the introduced did not;
- the substitute increases the number of consecutive days of lane closure that triggers the approval requirement from seven, as in the introduced, to 14 and includes exceptions for the following that did not appear in the introduced:
 - a special event, as defined by the substitute;
 - a construction project occurring on or adjacent to the applicable portion of Congress Avenue; or
 - a traffic control plan or pedestrian safety plan in connection with such construction; and
- the substitute omits the provision of the introduced that required approval for actions that change the traffic flow on the lanes of traffic.