

## **BILL ANALYSIS**

H.B. 408  
By: Harris Davila  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that during a meeting with the Texas Department of Transportation (TxDOT) regarding road projects for House District 52, the cost of certain road materials was discussed as a cause of project delays and ongoing road maintenance. H.B. 408 seeks to address the affordability and safety of road materials used for highway projects by prohibiting TxDOT, in comparing bids for materials for certain highway projects, from giving preference to bids that propose using certain materials based on environmental, social, and governance criteria if the proposed materials are less cost-effective or durable than alternative materials for the same project.

### **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. 408 amends the Transportation Code to prohibit the Texas Department of Transportation, in comparing bids for materials to be used in certain highway projects, from giving a preference to a bid that proposes using certain materials based on environmental, social, and governance criteria, including carbon emission criteria, if the proposed materials are less cost-effective or durable than alternative materials for the same project.

### **EFFECTIVE DATE**

September 1, 2025.