

## **BILL ANALYSIS**

C.S.S.B. 35  
By: Nichols  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that, as the state's population continues to grow, the strain on Texas' transportation infrastructure increases and that ensuring that limited transportation funds are spent effectively and transparently is critical to meeting both current and future mobility needs. The bill sponsor has also informed the committee that while the Texas Department of Transportation (TxDOT) uses a unified transportation program to guide project planning and construction, clearer prioritization of projects that maintain infrastructure versus those that improve infrastructure is necessary. The bill sponsor has further informed the committee that keeping legislators informed of key project milestones is essential for public transparency and local engagement. C.S.S.B. 35 seeks to enhance accountability and efficiency in the transportation project selection and funding process.

### **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.S.B. 35 amends the Transportation Code to revise provisions relating to notice to legislators of certain completed projects to require the Texas Department of Transportation (TxDOT), in addition to providing notice about completed projects, to provide notice of the project's selection to each member of the legislature who represents the county in which the project is located not later than the 10th day after the date a major road project is selected for funding. The bill removes the condition that the member wants to receive a notice of selection or completion, and accordingly the bill removes the requirement for TxDOT to ask each legislator whether the legislator wants to receive notices of completed projects.

C.S.S.B. 35 requires the unified transportation program developed by TxDOT, in addition to other requirements, to identify and prioritize transportation projects that are required to maintain the state infrastructure or would improve the state infrastructure. The bill requires TxDOT, in selecting and prioritizing transportation projects, to develop a plan, conduct an environmental review, and propose a design for the following projects:

- the reconstruction of certain portions of Broadway Street in San Antonio, Hildebrand Avenue in San Antonio, State Highway 225, and Broadway Street between certain intersections in Harris County;
- the construction of certain portions of State Highway 32, certain bridges in Harris County, connectors between State Highway 225 and State Highway 8, a sound barrier

along a certain portion of the eastern side of State Highway 146, and interchanges at certain intersections;

- the improvement and extension of certain portions of Cistercian Road and Stewart Road;
- the improvement of certain portions of Fishtrap Road, Rockhill Road and Arvin Hill Road, and Farm-to-Market Road 1660;
- the expansion of certain portions of State Highway 57; and
- the improvement and expansion of certain portions of State Highway 349.

The bill requires TxDOT to construct those projects and to ensure that a route in the state highway system, including Farm-to-Market Roads 1021 and 1472, between Eagle Pass and Laredo is sufficiently maintained.

#### **EFFECTIVE DATE**

September 1, 2025.

#### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 35 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute omits the provision present in the engrossed lowering from six to two the maximum number of design-build contracts for the design, construction, expansion, extension, related capital maintenance, rehabilitation, alteration, or repair of a highway project that TxDOT may enter into in each state fiscal biennium.

The substitute includes the following provisions absent from the engrossed:

- a provision that revises provisions relating to notice to legislators of certain completed projects to require TxDOT to provide notice of the project's selection to each member of the legislature who represents the county in which the project is located not later than the 10th day after the date a major road project is selected for funding;
- a provision that removes the condition that the member wants to receive the notice;
- a provision removing the requirement for TxDOT to ask each legislator whether the legislator wants to receive notices of completed projects;
- a requirement for the unified transportation program developed by TxDOT to identify and prioritize transportation projects that are required to maintain the state infrastructure or would improve the state infrastructure;
- a requirement for TxDOT, in selecting and prioritizing transportation projects, to develop a plan, conduct an environmental review, and propose a design for projects specified under the bill's provisions; and
- a requirement for TxDOT to construct those projects and to ensure that a route in the state highway system, including Farm-to-Market Roads 1021 and 1472, between Eagle Pass and Laredo is sufficiently maintained.

The substitute changes the bill's effective date from the possibility of immediate effect, contingent on receiving the requisite constitutional vote, as in the engrossed, to September 1, 2025.