

By: Cook

S.B. No. 1768

A BILL TO BE ENTITLED

AN ACT

relating to a health impact assessment for certain transportation projects of the Texas Department of Transportation.

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

SECTION 1. Subchapter H, Chapter 201, Transportation Code, is amended by adding Section 201.6045 to read as follows:

Sec. 201.6045. HEALTH IMPACT ASSESSMENT REQUIRED FOR CERTAIN TRANSPORTATION PROJECTS. (a) In this section, "health impact assessment" means a comprehensive report that analyzes the potential health impacts of a proposed transportation project.

(b) Except as provided by Subsection (d), the department, in conjunction with the Health and Human Services Commission, the Texas Commission on Environmental Quality, and any applicable metropolitan planning organization, shall perform a health impact assessment of a proposed department transportation project that is subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. Section 4321 et seq.).

(c) A health impact assessment required under this section must:

(1) evaluate the potential negative and positive health impacts of the proposed transportation project, including the anticipated changes to air quality from the project and the potential health impacts of those changes;

(2) identify the populations affected by the health

1 impacts and anticipated air quality changes described by  
2 Subdivision (1); and

3 (3) include mitigation strategies to minimize the  
4 potential adverse impacts and enhance the positive impacts of the  
5 project.

6 (d) The department may contract with a nongovernmental  
7 organization to perform a health impact assessment required under  
8 this section.

9 (e) The department shall:

10 (1) make available to the public on the department's  
11 Internet website a draft of each health impact assessment performed  
12 under this section in English and Spanish before publishing a final  
13 health impact assessment;

14 (2) provide all interested persons with a period of  
15 not less than 45 days from the date the draft health impact  
16 assessment is published under Subdivision (1) to provide oral or  
17 written comments or data to the department regarding the draft  
18 health impact assessment; and

19 (3) after the close of the comment period described by  
20 Subdivision (2) and making any revisions to the draft health impact  
21 assessment, publish the final version of the health impact  
22 assessment in the same manner required under Subdivision (1).

23 (f) The department may not make a final decision on a  
24 proposed transportation project for which a health impact  
25 assessment is required under this section until at least 30 days  
26 after the publication of the final health impact assessment under  
27 Subsection (e)(3).

1           SECTION 2.   Section 201.6045, Transportation Code, as added  
2 by this Act, applies only to a transportation project that becomes  
3 subject to review under the National Environmental Policy Act of  
4 1969 (42 U.S.C. Section 4321 et seq.) on or after the effective date  
5 of this Act.

6           SECTION 3.   This Act takes effect September 1, 2025.