

## KEY BILLS INTRODUCED IN THE 82<sup>ND</sup> LEGISLATURE

Presented below are summaries of bills introduced in the 82<sup>nd</sup> Texas Legislature that address H-GAC legislative issues.

### *Bills Sent to Governor*

#### *Transportation and Transportation Funding*

**HB 630 (Pickett)—Environmental Review:** will permit TxDOT, counties and regional mobility and toll authorities to enter into funding agreements with state and federal agencies to expedite transportation project environmental review. As substituted the bill makes clear that it does not affect public rights to review and comment on transportation projects. *Signed by the Governor.*

**HB 2938 (Strama) / SB 20 (Williams)—TERP:** will establish three new grant programs under the Texas Emissions Reduction Plan (TERP): 1) the natural gas vehicle rebate program; 2) a program to fund natural gas fueling stations; 3) an alternative fueling facilities program. The Bill would also restructure funding within the program to: 1) not less than 16% would be allocated to the natural gas vehicle rebate program; 2) not more than 4% would be allocated for the refueling station program; and 3) up to 2% could be used for the alternative fueling facilities program.

The bill will lower the amount of grant funds available by 22%. Based on the 2010-11 allocation which totaled of \$104.1 million for the emissions reduction incentive programs, the bill will: 1) reduce \$20.8 million per fiscal year in diesel emission reduction grants; 2) provide \$16.7 million in annual funding for the natural gas vehicle rebate program; 3) provide \$4.2 million in annual funding for the refueling station program; and 3) provide \$2.1 million in annual funding for alternative fueling facilities. However, it should be noted that Senate Bill 1 as introduced includes a reduction of 50 percent in funding out of the TERP program. *Signed by the Governor.*

**SB 527 (Fraser) – TERP:** will allow for: 1) not less than 5% of TERP funds to be used on a clean fleet program; and 2) \$7 million in 2012 and 2013 and no more than \$3 million in 2014 and subsequent years to fund air monitoring in Regions 3 and 4. *Signed by the Governor*

**SB 1420 (Hegar)—TxDOT Sunset:** would continue the Texas Department of Transportation through 2015. The bill makes no change to the current Texas Transportation Commission comprised of five commissioners, except to provide for one commissioner representing rural areas who is a registered voter in a county with less than 150,000 people. The bill requires TxDOT to develop a long range plan in consultation with metropolitan planning organizations, improve progress and expenditure reporting and allocate certain funds by district or MPO. The bill also requires TxDOT, in consultation with local transportation entities, to identify major transportation projects and prioritize for them for funding in the unified transportation program. The Commission must also establish standards for efficient processing of environmental documents. It also incorporates language from HB 630 allowing transportation entities to provide funding to expedite environmental review. SB 1420 also provides TxDOT the authority to enter into comprehensive development agreements for the development of certain

transportation projects including the Grand Parkway, SH 249 in Harris and Montgomery counties, SH 288 in Brazoria and Harris Counties and US 290 Hempstead managed lanes. *Signed by the Governor.*

**SB 1719 (Williams)—Grand Parkway:** would require that TxDOT fulfill all other obligations, including any agreements related to terms and conditions, for developing the Grand Parkway. *Signed by the Governor.*

### **Bills That Did Not Pass**

#### ***Regional Planning Issues***

**SB 336 (Gallegos)—Regional Planning Commissions:** would require that Harris County withdraw from H-GAC by November 1, 2011. Harris County would be authorized to form a regional planning commission with cities located wholly or partly in Harris County, but not with any other County. *Referred to Intergovernmental Affairs.*

#### ***County Development Authority***

**SB 136 (Wentworth)—County Development Authority:** would: (1) grant counties additional authority over transportation planning through the subdivision process; and (2) in a subdivision that is not served by fire hydrants as part of a centralized water system certified by the Texas Commission on Environmental Quality as meeting minimum standards for water utility service, allow a commissioners court to require a developer to construct a limited fire suppression system for certain subdivisions. *Referred to Intergovernmental Affairs.*

#### ***Transportation and Transportation Funding***

**HB 1 (Pitts) / SB 1 (Ogden) – General Appropriations:** would: 1) appropriate money for the support of the Judicial, Executive, and Legislative Branches of the State government, for the construction of State buildings, and for State aid to public junior colleges; 2) authorize and prescribe conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and 3) establish conditions, rules, limitations, and procedures of declaring an emergency. *HB 1 – Passed House, Sent to Governor / SB 1 – In Conference Committee*

**SB 102 (Davis) – Texas Emission Reduction Program (TERP):** would: 1) add and fund monitoring requirements to be conducted by the TCEQ; and 2) set aside 5% of funding for a clean fleet program. *Still in committee - Natural Resources Committee*

**HB 1145 (Geren) – Projects Funded Through TERP:** would allow for air monitors to be funded through the Texas Emission Reduction Program (\$7 million in 2012, and \$3 million in 2013). *Tabled*

**SB 135 (Wentworth)—Transportation Funding:** would provide that: (1) the state highway fund may no longer be used to finance the Texas Department of Public Safety; and (2) money in

the state highway fund or loans from the state infrastructure bank may be used only to improve the state highway system. *Referred to Finance. HB 1131 by Larson is identical.*

**H.B. 1131 (Larson)—Transportation Funding:** would provide that: money that is required to be used for public roadways by the Texas Constitution or federal law and that is deposited in the state treasury to the credit of the state highway fund be used only: (a) to improve the state highway system; or (b) to mitigate adverse environmental effects that result directly from construction or maintenance of a state highway. *Committee report sent to Calendars.*

**SB 1007 (Williams)—Comprehensive Development Agreements:** permit TxDOT to enter into a comprehensive development agreement for the Grand Parkway. *Passed Senate and referred to House Transportation*