

## **BILL ANALYSIS**

C.S.H.B. 1294  
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Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties suggest that Texas Department of Transportation (TxDOT) and local governments would benefit from increased coordination and communication regarding highway closures. C.S.H.B. 1294 seeks to address this issue by requiring TxDOT to coordinate and communicate regarding such closures during certain periods.

### **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. 1294 amends the Transportation Code to require the Texas Department of Transportation (TxDOT), if a proposed improvement of the state highway system requires the closing of a highway, to coordinate the highway closure before entering into a contract for the proposed improvement by communicating in person or by telephone call, email, or other direct method of communication with public officials from municipalities affected by the closure to avoid any adverse economic impact on the municipalities during periods of increased travel on the state highway system, including major state and federal holidays and school holidays, and during other periods of high commercial activity in the state, including limited periods in which certain items are exempted from the state sales tax. The bill requires a contract for the proposed improvement of the state highway system that requires the closing of a highway to include a provision identifying the days on which the highway may not be closed. The bill requires TxDOT to submit an annual report to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature detailing all highway closures during such periods and the estimated economic impact of those closures.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1294 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter B, Chapter 224, Transportation Code, is amended by adding Section 224.034 to read as follows:

Sec. 224.034. HIGHWAY CLOSURES DURING CERTAIN PERIODS. (a) If a proposed improvement of the state highway system requires the closing of a highway, the department shall coordinate the highway closure by communicating in person or by telephone call, e-mail, or other direct method of communication with public officials from municipalities affected by the closure to avoid any adverse economic impact on the municipalities during:

- (1) periods of increased travel on the state highway system, including major state and federal holidays and school holidays; and
- (2) other periods of high commercial activity in the state, including limited periods in which certain items are exempted from the sales tax imposed by Chapter 151, Tax Code.

(b) The department shall submit an annual report to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature detailing all highway closures during periods listed in Subsection (a) and the estimated economic impact of those closures.

SECTION 2. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 224, Transportation Code, is amended by adding Section 224.034 to read as follows:

Sec. 224.034. HIGHWAY CLOSURES DURING CERTAIN PERIODS. (a) If a proposed improvement of the state highway system requires the closing of a highway, the department shall, before entering into a contract for the proposed improvement, coordinate the highway closure by communicating in person or by telephone call, e-mail, or other direct method of communication with public officials from municipalities affected by the closure to avoid any adverse economic impact on the municipalities during:

- (1) periods of increased travel on the state highway system, including major state and federal holidays and school holidays; and
- (2) other periods of high commercial activity in the state, including limited periods in which certain items are exempted from the sales tax imposed by Chapter 151, Tax Code.

(b) A contract for the proposed improvement of the state highway system that requires the closing of a highway as described by Subsection (a) must include a provision identifying the days on which the highway may not be closed.

(c) The department shall submit an annual report to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature detailing all highway closures during periods listed in Subsection (a) and the estimated economic impact of those closures.

SECTION 2. Same as introduced version.