

BILL ANALYSIS

H.B. 2646
By: Martinez, "Mando"
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note confusion regarding the authority of the Texas Transportation Commission to acquire certain rights-of-way in relation to recently enacted federal legislation providing federal funding for states to acquire rights-of-way before a final environmental clearance for transportation projects. H.B. 2646 seeks to address this issue by authorizing the commission to acquire an interest in certain real property before environmental clearance has been issued for the applicable 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. 2646 amends the Transportation Code to expand the Texas Transportation Commission's authority to purchase an option to acquire real property for possible use in or in connection with a transportation facility before a final decision has been made as to whether the transportation facility will be located on that property to include the authority to acquire real property or an interest in real property for such possible use before such a final decision has been made. The bill authorizes the commission to acquire real property or an interest in real property or purchase an option to acquire real property for possible use in or in connection with a transportation facility before environmental clearance has been issued for the transportation facility by the appropriate federal or state authority.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.