

## **BILL ANALYSIS**

C.S.H.B. 2319  
By: Parker  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that the composition of the governing body of certain coordinated county transportation authorities, such as the Denton County Transportation Authority, needs revision because it does not adequately reflect the entities that have dedicated funding to the authority through elections authorizing the authority's sales and use tax levy. C.S.H.B. 2319 seeks to address this issue by establishing provisions relating to the composition, appointment, and operations of the board of directors of certain coordinated county transportation authorities.

### **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. 2319 amends the Transportation Code to authorize the board of directors of a coordinated county transportation authority confirmed before December 31, 2003, to authorize the governing body of a founding municipality to appoint one member to the board if the appointment is approved by the requisite affirmative vote and the municipality authorizes the authority's sales and use tax levy at the rate of one-half of one percent or designates a public transportation financing area for the benefit of the authority and enters into an agreement with the authority to provide public transportation services in a public transportation financing area in exchange for all or a portion of the tax increment in the area. The bill prohibits the authority from entering into such an agreement unless those conditions are met. The bill sets out the composition of the board of directors of the authority and requires the board to adopt rules and bylaws governing the appointment of a board member. The bill requires a nonvoting member to be appointed to the board to represent a municipality in the authority that is not otherwise authorized to appoint a member to the board under the bill's provisions. The bill prohibits such a nonvoting member from being counted for purposes of establishing a quorum of the board and requires the board to adopt rules and bylaws governing the appointment, number, authority, and duties of such nonvoting members.

C.S.H.B. 2319 establishes that an elected officer of a political subdivision of Texas who is not prohibited by the Texas Constitution from serving on the board is eligible to serve on the board as an additional duty of office. The elected officer is not entitled to receive compensation for serving on the board but is entitled to reimbursement for reasonable expenses incurred in performing the member's duties. The bill provides for filling a vacancy on the board and voting requirements for an action of the board. The bill exempts a coordinated county transportation

authority confirmed before December 31, 2003, from statutory provisions governing membership and voting requirements of coordinated county transportation authorities in general.

C.S.H.B. 2319 provides for the modification of the composition of the board of directors of such an authority on the bill's effective date and establishes that the bill does not prohibit a person who is a board member whose term expires under the bill's provisions from being reappointed to the board if the person is eligible as provided by the bill. The bill clarifies that a rule or bylaw adopted or other action taken before the bill's effective date by such a coordinated county transportation authority remains in effect as a rule, bylaw, or action of the authority until superseded by action of that authority.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

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

While C.S.H.B. 2319 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute replaces the authorization for a nonvoting member to be appointed to a board of directors of a coordinated county transportation authority to represent a municipality in the authority that is not otherwise authorized to appoint a member to the board with a requirement for such a member to be appointed.