

BILL ANALYSIS

Senate Research Center

H.B. 2445
By: Greenberg (Barrientos)
Intergovernmental Relations
5-7-97
Engrossed

DIGEST

Currently, the Capital Metropolitan Transit Authority (authority) does not have the legal authority to hold a referendum. A question has arisen in central Texas which deals with the installation of a fixed rail system. The citizens of this region have expressed their wish to be able to vote prior to the construction of a rail system. This bill authorizes the authority to hold a binding referendum on the question of whether to build a fixed rail system.

PURPOSE

As proposed, H.B. 2445 sets forth provisions regarding the operation of a fixed rail system by certain metropolitan rapid transit authorities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 451B, Transportation Code, by adding Section 451.071, as follows:

Sec. 451.071. REFERENDUM FOR RAIL PLAN; CERTAIN AUTHORITIES. Provides that this section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 750,000. Authorizes the Capital Metropolitan Transportation Authority Board (authority) to hold a referendum on whether the authority may operate a fixed rail transit system. Requires the ballots to be printed to permit voting for or against the proposition in a certain manner regarding fixed rail systems. Requires the notice of an election called under this section to include certain information. Sets forth certain provisions for the authority regarding the outcome of the election.

SECTION 2. Amends Chapter 451H, Transportation Code, by adding Section 451.3625, as follows:

Sec. 451.3625. BONDS FOR RAIL SYSTEM; CERTAIN AUTHORITIES. Provides that this section applies only to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 750,000. Prohibits an authority from issuing short-term debt under Section 451.362 or certain bonds unless the fixed rail system is approved at a referendum under Section 451.071. Provides that the term for which short-term debt may be issued under Section 451.362 is increased to five years if the purpose of the debt is the purchase, acquisition, construction, operation, or maintenance of the approved fixed rail transit system.

SECTION 3. Provides that the change in law made by SECTION 2 of this Act does not affect the validity of bonds or short-term debt issued before the effective date of this Act.

SECTION 4. Emergency clause.

Effective date: upon passage.