

BILL ANALYSIS

Senate Research Center
76R7484 JD-F

S.J.R. 3
By: Wentworth
Infrastructure
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As Filed

DIGEST

Currently, Article III, Section 52-b, Texas Constitution, provides that the Texas Department of Transportation (TxDOT) may not expend money for the construction, operation, and maintenance of turnpikes, toll roads, and toll bridges without repaying the expenses to the state highway fund. The Texas Turnpike Authority Division of TxDOT (TTA) has authority to development turnpike projects and toll roads. However, because TTA operates as a division of TxDOT, the constitutional provision may preclude TxDOT from advancing funds for turnpike project development without an obligation for repayment. The requirement has significantly constrained the provision of funds necessary to begin a study and design of turnpike projects through TTA. A repeal of the constitutional requirement would allow TxDOT to better utilize TTA to pursue turnpike development projects. S.J.R. 3 would repeal the requirement for repayment of funds which are expended for turnpikes, toll roads, and toll bridges.

PURPOSE

As proposed, S.J.R. 3 requires the submission to the voters of a constitutional amendment to permit the Texas Department of Transportation (TxDOT) to expend money for the construction, maintenance, and operation of roads and bridges.

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 Section 52-b, Article III, Texas Constitution, to authorize the legislature to permit the Texas Department of Transportation (TxDOT) to expend money for the construction, maintenance, and operation by TxDOT of turnpikes, toll roads, or toll bridges, rather than expend money for the costs of the roads or bridges. Deletes a provision relating to the expenditure of money to the roads or bridges of the Texas Turnpike Authority.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held on November 2, 1999. Sets forth the required language for the ballot.