

BILL ANALYSIS

Senate Research Center

C.S.S.B. 881
By: Nelson
Intergovernmental Relations
4/16/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

C.S.S.B. 881 institutes a financial sharing system by which certain airport revenues are shared by non-constituent municipalities (those municipalities that have territory within the boundaries of an airport that is governed by a joint board for which the constituent agencies are populous home-rule municipalities and in which are located three or more airport passenger terminal buildings that are owned jointly by the constituent agencies) and constituent agencies according to certain stated ratios. This bill also sets forth guidelines regarding a newly created non-constituent municipality advisory board.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22D, Transportation Code, by adding Sections 22.089 and 22.090, as follows:

Sec. 22.089. AIRPORT REVENUE OF NON-CONSTITUENT MUNICIPALITIES. (a) Defines "airport revenue," "excess airport revenue," and "non-constituent municipality."

(b) Requires each non-constituent municipality, not later than March 31 of each year, to pay to the constituent agencies an amount equal to 60 percent of the non-constituent municipality's excess airport revenues for the preceding calendar year. Requires the constituent agencies to divide the payment according to their respective ownership interests in the airport to which the revenue was attributable.

(c) Requires each non-constituent municipality, as part of its annual audit, to retain an independent auditor to verify the non-constituent municipality's excess airport revenue. Requires the constituent agencies to reimburse each non-constituent municipality for 60 percent of the cost of the verification. Requires the portion of the reimbursement to be paid by each constituent agency to be based on certain factors. Authorizes each constituent agency, once each calendar year, to audit a non-constituent municipality's records relating to the excess airport revenue at the sole expense of the constituent agency.

(d) Requires each non-constituent municipality to determine the amount of the municipality's airport revenue according to available statistical data indicating the estimated or actual total revenue attributable to that portion of the municipality that lies within the boundaries of the airport.

Sec. 22.090. NON-CONSTITUENT MUNICIPALITY ADVISORY BOARD. Provides that the non-constituent municipality advisory board consists of members appointed by the non-constituent municipalities of an airport. Requires the joint board to be available to meet

quarterly with the non-constituent municipality advisory board to receive advice and comments from the advisory board on certain issues. Requires the governing body of each non-constituent municipality to appoint one member to the advisory board and requires the governing body to appoint one member by ordinance or order to establish the term of the municipality's member.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 881 as follows:

SECTION 1. Omits original SECTION 1. Adds a new SECTION 1.

SECTION 2. Provides that this Act becomes effective not upon passage, but on September 1, 2001.