

## BILL ANALYSIS

Senate Research Center  
79R12923 MTB-F

C.S.S.B. 1089  
By: Madla  
Transportation & Homeland Security  
4/21/2005  
Committee Report (Substituted)

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Transportation Code currently requires the Texas Department of Transportation (TxDOT) to assist counties with materials to repair and maintain county roads in the amount of \$6 million annually.

In the past, some counties have requested equipment in lieu of, or in addition to, materials. However, TxDOT does not have the legal authority to provide equipment under the local government assistance program.

C.S.S.B. 1089 allows TxDOT to provide equipment, in addition to materials, to satisfy the requirements of the local government assistance program. The bill also provides that Chapter 2175 of the Government Code, regarding the disposition of surplus or salvage property, does not apply to equipment provided under the local government assistance program. Additionally, the bill prohibits TxDOT from purchasing materials or equipment for a county except when undertaking a cooperative and joint procurement of road materials with counties under Texas Building and Procurement Commission procedures.

### 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 Section 201.706, Transportation Code, as follows:

Sec. 201.706. LOCAL GOVERNMENT ASSISTANCE. (a) Creates this subsection from existing text. Requires the Texas Department of Transportation (department), from appropriated funds, to assist counties with materials and equipment to repair and maintain county roads.

(1) Requires the department to provide that the total annual value of assistance under this section is at least \$6 million per year, including not more than \$200,000 worth of equipment, rather than at least \$12 million per year for fiscal years 1998 and 1999 and at least \$6 million per year for a fiscal year other than 1998 or 1999.

(2) Makes a conforming change.

(3) Makes no changes to this subdivision.

(4) Requires the department to undertake cooperative and joint procurement of road materials with counties under Texas Building and Procurement Commission, rather than the General Services Commission, procedures.

(b) Provides that Chapter 2175 (Surplus and Salvage Property), Government Code, does not apply to assistance provided under this section.

(c) Provides that this section does not authorize the department to purchase materials or equipment for a county except as provided in Subsection (a)(4).

SECTION 2. Effective date: upon passage or September 1, 2005.