

BILL ANALYSIS

Senate Research Center
81R5064 JTS-D

H.B. 1255
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Administration
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2007, the Andrews City Council established a commission to conduct a study to relieve truck traffic through the populated areas of the city, specifically north/south traffic on U.S. Highway 385, also known as Main Street. There are no alternatives for a truck going north/south through Andrews County, and Highway 385 represents 65 percent of the traffic going through the city. The reliever route would also assist with traffic going east/west through State Highway 115/176, known as Broadway Street.

The commission concluded that a local ordinance to designate a truck route, which would create an outer loop around the city and would be 13.1 miles in length, was the best solution. The reliever route, in addition to cutting back truck traffic through the city, would be used to re-route hazardous waste and eventually be used for future economic development.

The city is currently acquiring right of way for the route. There is currently a tentative agreement with the County of Andrews to prepare a road bed. However, before construction can begin, the city needs the authority to issue local certificates of obligation to pay for the pavement services, which this bill proposes to do.

The project being proposed will be 100 percent locally developed and funded. Neither the city nor the county have any desire to seek state funding. The road will be constructed to state standards.

This bill amends Subchapter C (Specific Interlocal Contracting Authority), Chapter 791 (Interlocal Cooperation Contracts), Government Code, to allow the City of Andrews to create an interlocal contract for the creation of a relief highway route around their municipality. The bill also grants the municipality the authority to expend municipal funds and issue certificates of obligation or bonds to pay for expenses associated with a relief highway route.

H.B. 1255 amends current law relating to an interlocal contract for a relief highway route around certain municipalities.

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 Subchapter C, Chapter 791, Government Code, by adding Section 791.034, as follows:

Sec. 791.034. INTERNLOCAL CONTRACT FOR RELIEF HIGHWAY ROUTE AROUND CERTAIN MUNICIPALITIES. (a) Authorizes the governing body of a municipality located in a county in which is located a facility licensed to dispose of low-level radioactive waste under Chapter 401 (Radioactive Materials and Other Sources of Radiation), Health and Safety Code, to enter into an interlocal contract with the county for the construction and maintenance of a relief highway route around and outside the boundaries of the municipality that the governing body determines will serve a public purpose of the municipality.

(b) Authorizes the municipality to expend municipal funds and to issue certificates of obligation or bonds to pay for expenses associated with a relief highway route under Subsection (a).

SECTION 2. Effective date: upon passage or September 1, 2009.