

## **BILL ANALYSIS**

Senate Research Center  
81R88828 SJM-F

H.B. 2433  
By: Smith, Wayne (Williams)  
Transportation & Homeland Security  
4/15/2009  
Engrossed

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

Since the authorizing statute of a commuter rail district does not specifically include a reference to its powers of a commuter rail district, the Gulf Coast Freight Rail District is having difficulty securing federal grants for the purpose of building a commuter rail district. In addition, the district cannot currently use money dedicated to it by local governments outside of the district though the project benefits the district.

H.B. 2433 clarifies that a freight rail district created under Chapter 171 (Freight Rail Districts), Transportation Code, is authorized to exercise the powers of an intermunicipal commuter rail district. H.B. 2433 authorizes a freight rail district to use money paid to the district by a local government outside of the district for a public purpose of the local government and to use the money to secure a district debt.

### **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 171.053, Transportation Code, as follows:

Sec. 171.053. INTERMUNICIPAL COMMUTER RAIL DISTRICT POWERS. Authorizes the governing bodies of the county or counties and of the most populous municipality in the most populous county to provide that the district is authorized to exercise the powers of an intermunicipal commuter rail district created under Article 6550c-1 (Intermunicipal Commuter Rail Districts), Revised Statutes, including the powers related to a commuter rail facility, by specifying in the concurrent order or ordinance creating the district that those powers may be exercised by the district.

SECTION 2. Amends Subchapter F, Chapter 171, Transportation Code, by adding Section 171.256, as follows:

Sec. 171.256. LOCAL GOVERNMENT FINANCING. (a) Provides that Section 8(d) (relating to the establishment of one or more transportation infrastructure zones), Article 6550c-1, Revised Statutes, relating to the limit on payments made by a local government does not apply to a district to which Section 171.053 applies.

(b) Authorizes a district to which Section 171.053 applies to use money paid to the district by a local government outside the territory of the local government if the money is used for a public purpose of the local government.

(c) Authorizes a district to which Section 171.053 applies to pledge money paid to the district by a local government to secure the payment of a district debt.

SECTION 3. Effective date: September 1, 2009.