

BILL ANALYSIS

Senate Research Center
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S.B. 1578
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Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Gulf Coast Rail District was created during the 79th Legislature, under Chapter 171 (Freight Rail Districts), Transportation Code. A county is eligible to create a freight rail district if the county has a population of 3.3 million or more. Counties that are adjacent to the eligible county are permitted to join the district once it is established.

In 2007, Harris County, the City of Houston, and Fort Bend County created the Gulf Coast Freight Rail District. The name has since changed to Gulf Coast Rail District, and the counties of Galveston and Waller have joined the district. The Gulf Coast Rail District's goal is to develop and implement a systematic approach to improvement of the regional rail network for the benefit of the region's residents and economy.

This bill would allow Jefferson County to join the Gulf Coast Rail District. Since Jefferson County is not adjacent to Harris County, it is unable to join. However, since a rail network extends beyond any single county's limits, it would be beneficial for Jefferson County to join.

As proposed, S.B. 1578 amends current law relating to the addition of a county to a freight rail district.

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 the heading to Subchapter B, Chapter 171, Transportation Code, to read as follows:

SUBCHAPTER B. CREATION; ADDITION OF COUNTY TO DISTRICT

SECTION 2. Amends Section 171.054, Transportation Code, as follows:

Sec. 171.054. DISTRICT TERRITORY. Provides that the district consists of each county that created the district; each county added to the district under Section 171.055; and the territory of the most populous municipality in the most populous county if that municipality's territory is located in more than one county.

SECTION 3. Amends Subchapter B, Chapter 171, Transportation Code, by adding Section 171.055, as follows:

Sec. 171.055. ADDITION OF COUNTY TO DISTRICT. (a) Authorizes a county to be added to a district if:

(1) the county is adjacent to a county with a population of 3.3 million or more that created the district; or

(2) the county is adjacent to a county that is added to the district under Subdivision (1); and contains a navigation district.

(b) Requires that the following bodies by joint resolution approve the addition of the county to the district:

(1) the commissioners court of the county to be added to the district;

(2) the commissioners court of each county in the district; and

(3) the governing body of the most populous municipality in the most populous county in the district.

(c) Requires that the resolution include the number of directors the new county will have on the board.

(d) Provides that on adoption of the resolution by each commissioners court and the governing body of the municipality, the county is added to the district.

SECTION 4. Amends Section 171.101, Transportation Code, as follows:

Sec. 171.101. COMPOSITION OF BOARD; PRESIDING OFFICER. (a) Creates this subsection from existing text. Provides that the board consists of directors, including a presiding officer, as provided in the order or ordinance creating the district under Section 171.052(b) (relating to the order of ordinance when creating a district).

(b) Requires the board to add directors for each county added to the district as provided in the joint resolution adding the county under Section 171.055.

SECTION 5. Amends Section 171.152, Transportation Code, as follows:

Sec. 171.152. GENERAL CONTRACT POWERS. Authorizes a district to contract with any person, including:

(1) a county or municipality, including a county or municipality that is a member of the district, rather than that created the district;

(2) this state or any political subdivision of this state;

(3) the United States; or

(4) a railroad.

SECTION 6. Amends Section 171.301(a), Transportation Code, to authorize a county or municipality that is a member of, rather than that created, the district to petition the board for approval to withdraw from the district.

SECTION 7. Effective date: upon passage or September 1, 2011.