

BILL ANALYSIS

Senate Research Center
76R11512 SMH-D

C.S.S.B. 1500
By: Lindsay
Natural Resources
4/12/1999
Committee Report (Substituted)

DIGEST

Currently, under Texas law, property acquired by certain municipalities for airport purposes may be used for wetland mitigation. This bill would prohibit the use of property acquired by certain municipalities as a site for an airport for wetland mitigation.

PURPOSE

As proposed, C.S.S.B. 1500 prohibits the use of property acquired by certain municipalities as a site for an airport for wetland mitigation.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 22B, Transportation Code, by adding Section 22.027, as follows:

Sec. 22.027. USE OF PROPERTY ACQUIRED AS SITE FOR AIRPORT. Requires a municipality of 1.5 million or more that acquires property for use as a site for an airport to use the property for that purpose and prohibits using the property for any other purpose, including to provide a mitigation credit under Section 404, Federal Water Pollution Control Act (33 U.S.C. Section 1344), or under guidelines developed by the Secretary of the Army under that section to offset an adverse impact to wetlands caused by the discharge of dredged or fill material into the navigable waters at another disposal site. Provides that this section expires September 1, 2005.

SECTION 2. Makes application of this Act retroactive.

SECTION 3. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Relating clause.

Amends the relating clause to state that the legislation relates to the use of property acquired by certain municipalities as a site for an airport.

SECTION 1.

Amends Section 22.027, Transportation Code, to provide a new heading and make conforming and nonsubstantive changes.