

## **BILL ANALYSIS**

Senate Research Center  
76R3457 DRH-D

S.B. 242  
By: Ellis  
State Affairs  
3/23/1999  
As Filed

### **DIGEST**

Currently, the Texas Department of Transportation (TxDOT) leases some state land to businesses for limited use. The 75th Legislature passed certain guidelines in S.B. 370 for leasing state land. The law authorized TxDOT to contract, via competitive bidding, with telecommunications providers. The lease provided highway facilities for commercial purposes, and required revenues from the leases to be deposited into the State Highway Fund. The law, however, limited leasing to facilities that would not be needed for a highway purpose during the entire term of the lease, although TxDOT previously had leased light towers. Therefore, the guidelines prevented TxDOT from using its leasing authority to the fullest extent capable. S.B. 242 would require TxDOT to adopt rules for leasing rights-of-way, including highway medians and light towers for telecommunications purposes.

### **PURPOSE**

As proposed, S.B. 242 requires the Texas Department of Transportation to adopt rules for leasing rights-of-way for telecommunications purposes.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Department of Transportation in SECTION 1 (a) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Requires the Texas Department of Transportation (TxDOT) to adopt rules for leasing rights-of-way, including highway medians and light towers for telecommunications purposes, by September 1, 1999. Authorizes TxDOT to create a rules advisory committee that includes representatives from the telecommunications industry to assist TxDOT in drafting the rules.

SECTION 2. Emergency clause.  
Effective date: upon passage.