

## **BILL ANALYSIS**

Senate Research Center  
77R3464 JD-F

S.B. 416  
By: Ogden  
Natural Resources  
1/31/2001  
As Filed

### **DIGEST AND PURPOSE**

Under current law, the Texas Department of Transportation (TxDOT) is often placed in the position of having to acquire and become a long-term land manager of mitigation property environmentally impacted by a highway improvement project. As proposed, S.B. 416 allows TxDOT to pay a fee to public agencies that require TxDOT to mitigate for an impact rather than having TxDOT itself acquire and manage the property.

### **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 Chapter 201H, Transportation Code, by adding Section 201.6061, as follows:

Sec. 201.6061. PAYMENT OF FEE TO PUBLIC AGENCY IN CONNECTION WITH MITIGATION OF CERTAIN ADVERSE ENVIRONMENTAL IMPACTS. Requires the Texas Department of Transportation, if authorized by the applicable regulatory authority, to pay a fee to an appropriate public agency in lieu of acquiring or agreeing to manage property for the mitigation of an adverse environmental impact that is a direct result of a state highway improvement project.

SECTION 2. Effective date: upon passage or September 1, 2001.