

BILL ANALYSIS

Senate Research Center
78R9230 E

H.B. 1231
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

The House Committee on Land and Resource Management conducted an interim study regarding the Gulf Coast Intracoastal Waterway's (GCIW) disposal of dredged material and based on the finding, the committee's report on GCIW set forth certain recommendations. H.B. 1231 amends the Transportation Code to reflect certain recommendations of the interim study conducted by the House Land and Resource Management Committee.

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 51.003, Transportation Code, sets forth the purpose of this Act.

SECTION 2. Amends Sections 51.005(a) and (b), Transportation Code, to authorize the Texas Transportation Commission (TTC) to acquire by gift, purchase, or condemnation property or an interest in property that TTC considers necessary to enable it to meet its responsibilities under this chapter, including, except as provided by Subsection (b)(3), easements and rights-of-way for dredge material disposal sites or channel alteration.

(b) Prohibits TTC from taking certain actions.

SECTION 3. Amends Chapter 51, Transportation Code, by adding Sections 51.012, 51.013, and 51.014, as follows:

Sec. 51.012. **CONTRACTS WITH LANDOWNERS.** Authorizes TTC to contract with a landowner for the use of land as a disposal site for dredged material.

Sec. 51.013. **DREDGED MATERIAL DISPOSAL.** Requires the Texas Department of Transportation (TxDOT) to condemn land for disposal of dredged material for the Laguna Madre section of the Gulf Coast Intracoastal Waterway only in accordance with the Draft Laguna Madre GIWW Dredged Material Management Plan prepared by the Army Corps of Engineers and the Interagency Coordination Team dated October 11, 2002.

Sec. 51.014. **SUBSTANTIVE CHANGES TO DREDGED MATERIAL DISPOSAL PLAN.** Requires TxDOT to seek approval of the legislature for any substantive changes to dredged material disposal management made in the final Laguna Madre GIWW Dredged Material Management Plan once the plan is published.

SECTION 4. Repealer: Section 51.005(d), Transportation Code (regarding land acquisition).

SECTION 5. Effective date: September 1, 2003.