

## **BILL ANALYSIS**

Senate Research Center

S.B. 890  
By: Shapleigh  
Government Organization  
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As Filed

### **DIGEST AND PURPOSE**

Currently, Texas law prevents the state from taking advantage of opportunities to generate non-tax revenue by leasing underused facilities such as parking garages. For example, the Austin area has a concentration of over 12,000 state parking spaces, and a third of these are used by the public during off-peak hours with no benefit to the state. In some cases, private entities charge fees at state lots with no benefit to or written permission from the state. As proposed, S.B. 890 directs the Texas Building and Procurement Commission to establish a pilot program to develop private, commercial uses during non-business hours for certain state-owned parking lots and garages located in the city of Austin in the area bordered by West Fourth Street, Lavaca Street, West Third Street, and Nueces Street.

### **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 Subchapter E, Chapter 2165, Government Code, by adding Section 2165.2035, as follows:

Sec. 2165.2035. PILOT PROGRAM. (a) Provides that in this section "lease" includes a management agreement.

(b) Requires the Texas Building and Procurement Commission (TBPC) to establish a pilot program to develop private, commercial uses for state-owned parking lots and garages located in Austin in the area bordered by West Fourth Street, Lavaca Street, West Third Street, and Nueces Street.

(c) Requires TBPC to contract with a private vendor to manage the commercial use of state-owned parking lots and garages.

(d) Requires money received from a lease under this program to be deposited to the credit of the general revenue fund.

(e) Requires TBPC, on or before December 1 of each even-numbered year, to submit a report to the legislature and the Legislative Budget Board describing the effectiveness of the pilot program.

(f) Provides that the limitation on the amount of space allocated to private tenants prescribed by Section 2165.205(b) does not apply to the lease of a state-owned parking lot or garage under this section.

(g) Requires any lease of a state-owned parking lot or garage under this section to contain a provision that allows state employees who work hours other than regular working hours under Section 658.005 to retain their parking privileges in a state-owned parking lot or garage.

(h) Requires the vendor, as a condition of participation in the pilot, to assess parking fees at a rate competitive with the market rates in the area established in Section 2165.2035(b).

SECTION 2. Effective date: upon passage or September 1, 2003.