

## **BILL ANALYSIS**

Senate Research Center  
79R9000 MTB-D

H.B. 2623  
By: Phillips (Madla)  
Transportation & Homeland Security  
5/13/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the Transportation Code requires the Texas Department of Transportation (TxDOT) to assist counties with materials to repair and maintain county roads in the amount of \$6 million annually. In the past, some counties have requested equipment in lieu of, or in addition to, materials. TxDOT does not have the legal authority to provide equipment under the Local Government Assistance Program.

H.B. 2623 allows TxDOT to provide equipment, in addition to materials, to satisfy the requirements of the Local Government Assistance Program. The bill also clarifies that Chapter 2175 of the Government Code, regarding the disposition of surplus or salvage property, does not apply to equipment provided under the Local Government Assistance Program.

### **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 201.706, Transportation Code, as follows:

- (a) Creates this Subsection from existing text. Requires the Texas Department of Transportation (TxDOT), from appropriated funds, to assist counties with materials and equipment to repair and maintain county roads. Requires TxDOT to provide that the total annual value of assistance under this section is at least \$6 million per year, rather than at least \$12 million per year for fiscal year 1998 and 1999 and at least \$6 million per year for a fiscal year other than 1998 or 1999. Makes conforming changes. Requires TxDOT to undertake cooperative and joint procurement of road materials with counties under Texas Building and Procurement Commission, rather than General Services Commission, procedures.
- (b) Provides that Chapter 2175 (Surplus and Salvage Property), Government Code, does not apply to the distribution of assistance by TxDOT under this section.
- (c) Provides that this section does not authorize TxDOT to purchase materials or equipment for a county except as provided by Subsection (a)(4).

SECTION 2. Effective date: upon passage or September 1, 2005.