

## **BILL ANALYSIS**

Senate Research Center  
77R3837 JD-F

S.B. 267  
By: Ogden  
Natural Resources  
2/2/2001  
As Filed

### **DIGEST AND PURPOSE**

Current statute only allows for the Texas Department of Transportation (TxDOT) to contract with the Texas Parks and Wildlife Department (TPWD) for the administration, control, or maintenance of any property it uses for the mitigation of adverse environmental impacts resulting from state highway construction or maintenance. But TPWD is not always able to take on the management of new park territory. This bill allows TxDOT to contract with federal agencies, city, and county governments, and non-profit entities to manage property used for the mitigation of such adverse environmental impacts.

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

Sec. 203.004. New heading: **CONTRACTS FOR MANAGEMENT OF PROPERTY USED FOR MITIGATION OF ADVERSE ENVIRONMENTAL IMPACTS**. Authorizes the Texas Department of Transportation (department) to contract with any public or private entity, rather than the Parks and Wildlife Department, for the management, rather than administration, control, or maintenance, of property used, rather than acquired under Subchapter D, for the mitigation of an adverse environmental impact directly resulting from the construction or maintenance of a state highway. Defines “management.”

SECTION 2. Effective date: September 1, 2001.