

By: Anchia

H.B. No. 3673

A BILL TO BE ENTITLED

AN ACT

relating to land use requirements for certain toll projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 26, Parks and Wildlife Code, is amended by adding Section 26.005 to read as follows:

Sec. 26.005. LAND USE REQUIREMENTS FOR CERTAIN TOLL PROJECTS. (a) In this section, "toll project" and "toll project entity" have the meanings assigned by Section 372.001, Transportation Code.

(b) A toll project entity may not construct or operate a toll project connecting Interstate Highway 35E and U.S. Highway 175 within the boundaries of a publicly owned greenbelt or other similar open space that is preserved in a natural state and is accessible to the public unless the governing body of the entity demonstrates, in a written report submitted to the legislature, that the entity or a political subdivision has, with respect to the project, complied with the requirements of:

(1) Section 4(f), Department of Transportation Act of 1966 (23 U.S.C. Section 138 and 49 U.S.C. Section 303); or

(2) this chapter, if the entity or political subdivision is unable to demonstrate compliance with the requirements under Subdivision (1).

(c) For the purposes of complying with Subsection (b), land proposed to be used for a toll project is considered to be land to

1 which a law described by Subsection (b)(1) or (2) applies.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.