

BILL ANALYSIS

H.B. 2449
By: Springer
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the proper enforcement of the right-of-way of state highways by the Texas Department of Transportation (TxDOT). One example cited is an incident in which an unsafe building had the potential to fall down and impede the safe operation of motorists on a highway, resulting in the closure of part of the highway as opposed to the acquisition of the property. H.B. 2449 seeks to address this issue by further clarifying the authority of TxDOT to acquire an interest in real property to protect a state highway.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2449 amends the Transportation Code to include among the property considered necessary or convenient to protect a state highway for purposes of acquisition by the Texas Transportation Commission to construct, reconstruct, maintain, widen, straighten, or extend the highway an interest in real property adjacent to the right-of-way of the highway on which a building obstructs or partially obstructs the highway and is maintained in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment.

EFFECTIVE DATE

September 1, 2019.