

SUBJECT: Reporting requirements for county roads

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 7 ayes — R. Lewis, Kamel, Bonnen, Chisum, Christian, Denny, G. Lewis
0 nays
2 absent — Flores, Gutierrez

SENATE VOTE: On final passage, February 10 — 31-0

WITNESSES: No public hearing

BACKGROUND : The Transportation Code requires county commissioners to be supervisors of public roads unless the county adopts an optional system of administering county roads. Under this system, the commissioners court may employ up to four road commissioners with broad powers to construct and maintain county roads and bridges. This optional system does not apply to 54 counties, including Van Zandt, Collin, and Dallas County, where special county laws apply. Collin and Dallas counties, however, may adopt the optional system if the commissioners court determined it is better suited than the special law.

County commissioners serving as road supervisors must supervise the public roads in their precincts at least monthly. Commissioners are required to file a report to each regular term of the commissioners court detailing the condition of county roads, the amount of money held by overseers and available for use on road projects, the number of defaced and torn down mileposts and fingerboards, any new or necessary road improvements, and the name of all overseers who neglected their job duties.

DIGEST: CSSB 205 would change the reporting requirements for county commissioners courts that supervise public county roads. Reports would have to be filed during the ninth month of the county fiscal year rather than for each regular term of the court. A report would have to include the amount of money reasonably necessary for maintenance of roads in the precinct during the next county fiscal year, instead of the money held by

overseers, and the number of traffic control devices, rather than mileposts and fingerboards, defaced or torn down. Reports no longer would have to include the names of overseers not satisfactorily performing job duties.

County auditors or officers performing these job duties would have to report on county roads to the comptroller by January 30 of each year. The report would have to include the total amount of expenditures for county road and bridge projects as well as other road expenditures required by law. The comptroller could not distribute county and road district highway funds to counties that failed to file their most recent report.

CSSB 205 also would allow Van Zandt County to employ separate road commissioners if the county commissioners court determined that this system was better suited to it than the special county law.

The bill would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

NOTES:

The Senate-passed version would only have required annual reports on the status of county road expenditures to the comptroller.