

BILL ANALYSIS

Senate Research Center
80R3732 MTB-D

H.B. 1420
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Transportation & Homeland Security
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1092, 78th Legislature, Regular Session, 2003, gave counties the authority to remove personal property that may be blocking a road or right-of-way or that endangers public safety on a county road. However, the language that was enacted differs from the legislative intent of the bill. Current law requires a vote of the entire commissioners court to order the removal of such property. However, requiring a vote of the entire county commissioners court was not the legislative intent of H.B. 1092.

H.B. 1420 clarifies that a county commissioner is authorized to order the removal of personal property by the county without a vote of the county commissioners court.

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 Sections 280.002(c), (d), and (g), as follows:

(c) Authorizes a county commissioner, rather than county, except as provided by Subsection (g), to order the removal of personal property by the county, rather than remove personal property, from the right-of-way or roadway of a county road if the county commissioner, rather than county, determines the property blocks the right-of-way or roadway for at least six hours or endangers public safety.

(d) and (g) Makes conforming changes.

SECTION 2. Effective date: upon passage or September 1, 2007.