

BILL ANALYSIS

Senate Research Center
84R24157 JTS-F

H.B. 1949
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Intergovernmental Relations
5/24/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that statutory provisions relating to the annexation of paved county roads by municipalities under certain circumstances are not sufficiently clear. A considerable number of county roads, including some adjacent to large municipalities, are unpaved dirt or gravel roads. The result is a source of conflict over the responsibility for road and street maintenance. H.B. 1949 seeks to provide the clarification needed to ensure that municipalities engaging in the annexation of county roads or certain territory assume the appropriate responsibility.

H.B. 1949 amends current law relating to the annexation of county roads.

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 43.106, Local Government Code, as follows:

Sec. 43.106. ANNEXATION OF COUNTY ROADS REQUIRED IN CERTAIN CIRCUMSTANCES. (a) Creates this subsection from existing text. Provides that a municipality that proposes to annex any portion of a county road, rather than paved county road, or territory that abuts a county road to also annex the entire width of the county road and the adjacent right-of-way on both sides of the county road.

(b) Provides that, if a road annexed under Subsection (a) is a gravel road, the county retains control of granting access to the road and its right-of-way from property that:

- (1) is not located in the boundaries of the annexing municipality; and
- (2) is adjacent to the road and right-of-way.

SECTION 2. Provides that Section 43.106, Local Government Code, as amended by this Act, applies to an area proposed for annexation on or after the effective date of this Act or before the effective date of this Act if the statutory requirements for annexation under Subchapter C (Annexation Procedure for Areas Annexed Under Municipal Annexation Plan) or C-1 (Annexation Procedure for Areas Exempted From Municipal Annexation Plan), Chapter 43, Local Government Code, have not been completed before the effective date of this Act.

SECTION 3. Effective date: September 1, 2015.