

## **BILL ANALYSIS**

Senate Research Center

H.B. 1610  
By: Chisum (Brimer)  
Intergovernmental Relations  
5/20/2005  
Committee Report (Amended)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Counties are responsible for the maintenance and repair of roads under their jurisdiction. When a person or other entity cuts a county road to lay a pipeline or other line or repair those lines they are responsible for repairing the cut or paying the county for the repair. However, these repairs weaken the road which results in a higher maintenance cost to the county with no opportunity to recapture that expense.

H.B. 1610 allows a county to charge a fee of no more than \$500 for any person or entity that has cut a county road for certain purposes, so that the county may recapture maintenance expense.

### **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 Subchapter Z, Chapter 240, Local Government Code, by adding Section 240.907, as follows:

Sec. 240.907. FEE FOR CUTTING COUNTY ROAD. (a) Provides that in this section, a cut of a county road means the act of excavating or cutting the surface of a county road.

(b) Authorizes a county, to provide funds for the future inspection, repair, and maintenance of a cut road, to impose a fee on a person or other entity for each cut of a county road during or as an incident to the installation, maintenance, or repair of any facilities or properties of the person or entity.

(c) Sets forth the fee authorized by this section.

(d) Provides that this section does not apply in relation to a certain person or other certain entity.

SECTION 2. Makes application of a fee imposed under Section 240.907, Local Government Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2005.

### **SUMMARY OF COMMITTEE CHANGES**

#### **Committee Amendment No. 1**

Amends H.B. 1610 by adding after line 14 on page 1, the following:

(b) Requires pipelines that cross roads to service oil or gas wells to be buried and maintained as designated by a private road owner.

Re-letter remaining subsections.