

BILL ANALYSIS

Senate Research Center

S.B. 1059
By: Hegar, Zaffirini
Agriculture & Rural Affairs
10/8/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 251 (General County Authority Relating to Roads and Bridges), Transportation Code, includes sections relating to the construction, replacement, and repair of cattle guards on county roads. There are no statutes relating to the removal of cattle guards.

S.B. 1059 relates to the procedure for the removal of a cattle guard on a county road.

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 A, Chapter 251, Transportation Code, by adding Section 251.0096, as follows:

Sec. 251.0096. REMOVAL OF CATTLE GUARDS FROM COUNTY ROADS. (a) Authorizes the commissioners court of a county to remove a cattle guard from a county road of any class if the commissioners court notifies each person who owns land adjacent to the cattle guard by certified mail not less than 90 days before the proposed removal of the cattle guard.

(b) Provides that the commissioners court is not required to hold a public hearing on a proposed cattle guard removal. Requires the commissioners court, if a resident of the county requests a public hearing, to hold a public hearing on the removal of the cattle guard. Requires that a request for a public hearing, to be valid, be made in writing and be made before the 75th day after the date the notice required by Subsection (a) is mailed.

SECTION 2. Effective date: September 1, 2009.