

By: Tepper

H.B. No. 1722

A BILL TO BE ENTITLED

AN ACT

relating to an owner's or lessee's access to property through a Texas Department of Transportation highway right-of-way.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 203, Transportation Code, is amended by adding Section 203.113 to read as follows:

Sec. 203.113. OWNER OR LESSEE ACCESS TO CERTAIN PROPERTY.

(a) Notwithstanding any other law, the department may not prohibit or otherwise restrict a person from accessing property the person owns or leases that:

(1) is adjacent to a highway right-of-way;

(2) could be accessed legally from the roadway before the department assumed authority over the right-of-way; and

(3) was acquired or constructed before the department assumed authority over the right-of-way.

(b) This section does not prohibit the department or the commission from acquiring a person's interest in property described by Subsection (a) through purchase, condemnation, or other means as authorized by Subchapter D or other law.

SECTION 2. This Act takes effect September 1, 2025.