

By: Tepper

H.B. No. 1722

A BILL TO BE ENTITLED

AN ACT

relating to an owner's or lessee's access to private property located within 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 PRIVATE PROPERTY IN HIGHWAY RIGHT-OF-WAY. (a) Notwithstanding any other law, the department may not prohibit or otherwise restrict a person from accessing private property the person owns or leases that:

(1) is located within a highway right-of-way the department acquires;

(2) can only be accessed through the right-of-way; and

(3) was 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 private 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.