

BILL ANALYSIS

S.B. 132
By: Zaffirini
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current Section 251.009(a), Transportation Code, permits a county with a population of less than 60,000 to construct cattle guards on county roads. However, this section prevents counties with more than 60,000 residents from replacing existing cattle guard, which has become a danger to the public. As proposed, S.B. 132 amends the Transportation Code to allow a county commissioners court to replace or repair any existing cattle guard on a county road.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Chapter 251A, Transportation Code, by adding Section 251.0095, as follows:

Sec. 251.0095. REPLACEMENT AND REPAIR OF EXISTING CATTLE GUARDS ON COUNTY ROADS. (a) Authorizes the commissioners court of a county to authorize the replacement or repair of an existing cattle guard on a county road of any class.

(b) Authorizes the commissioners court to replace or repair a cattle guard on a county road of any class and to pay for its replacement or repair from the county road and bridge fund if the court finds that the replacement or repair of the cattle guard is in the best interest of the residents of the county.

SECTION 2. Amends the section heading of Section 251.009, Transportation Code, to read as follows:

Sec. 251.009. CONSTRUCTION OF CATTLE GUARDS ON COUNTY ROADS IN CERTAIN COUNTIES; OFFENSE.

SECTION 3. Effective date: Effective immediately if it receives a vote of two-thirds. If not, this Act takes effect September 1, 2003.

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