

By: Lindsay

S.B. No. 1782

A BILL TO BE ENTITLED

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AN ACT

relating to the precedence of highway access rules and ordinances of certain highly populated cities and counties over highway access management orders of the Texas Transportation Commission.

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

SECTION 1. Section 203.032, Transportation Code, is amended to read as follows:

Sec. 203.032. PRECEDENCE OF COMMISSION ORDER. (a) An order of the commission under Section 203.031 supersedes a conflicting rule or ordinance of a state agency or subdivision of this state or any county or municipality, including a home-rule municipality.

(b) Notwithstanding Subsection (a), the commission may not adopt or enforce an order under Section 203.031 that:

(1) is applicable to highways located in a municipality with a population of 1.5 million or more, including a home-rule municipality, or in a county with a population of 3.3 million or more; and

(2) is inconsistent with a highway access rule, ordinance, or minute order adopted by the governing body of the municipality or county.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.