

By: Eissler

H.B. No. 602

Substitute the following for H.B. No. 602:

By: Allen of Dallas

C.S.H.B. No. 602

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the designation of a weight enforcement officer by a
3 commissioners court in certain counties.

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

5 SECTION 1. Section 621.401, Transportation Code, is amended
6 to read as follows:

7 Sec. 621.401. DEFINITION. In this subchapter, "weight
8 enforcement officer" means:

9 (1) a license and weight inspector of the Department
10 of Public Safety;

11 (2) a highway patrol officer;

12 (3) a sheriff or sheriff's deputy;

13 (4) a municipal police officer in a municipality with
14 a population of:

15 (A) 100,000 or more; or

16 (B) 74,000 or more in a county with a population
17 of more than 1.5 million; ~~or~~

18 (5) a police officer certified under Section 644.101;
19 or

20 (6) a constable or deputy constable designated under
21 Section 621.4015.

22 SECTION 2. Subchapter F, Chapter 621, Transportation Code,
23 is amended by adding Section 621.4015 to read as follows:

24 Sec. 621.4015. DESIGNATION BY COMMISSIONERS COURT. A

1 county commissioners court may designate a constable or deputy
2 constable of the county as a weight enforcement officer in a county:

3 (1) that is adjacent to a county with a population of
4 3.3 million or more; and

5 (2) in which a planned community is located that has
6 20,000 or more acres of land, that was originally established under
7 the Urban Growth and New Community Development Act of 1970 (42
8 U.S.C. Section 4501 et seq.), and that is subject to restrictive
9 covenants containing ad valorem or annual variable budget based
10 assessments on real property.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.