

1-1 By: Eissler (Senate Sponsor - Williams) H.B. No. 602
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2005, reported favorably, as
1-5 amended, by the following vote: Yeas 5, Nays 0; May 21, 2005, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Madla

1-8 Amend H.B. 602, on page 1, line 39 by adding a new subsection
1-9 (1) and renumbering the subsequent subsections accordingly:
1-10 "(1) that is a county with a population of 1 million or more
1-11 and is within 200 miles of an international border, or"

1-12 A BILL TO BE ENTITLED
1-13 AN ACT

1-14 relating to the designation of a weight enforcement officer by a
1-15 commissioners court in certain counties.

1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Section 621.401, Transportation Code, is amended
1-18 to read as follows:

1-19 Sec. 621.401. DEFINITION. In this subchapter, "weight
1-20 enforcement officer" means:

1-21 (1) a license and weight inspector of the Department
1-22 of Public Safety;

1-23 (2) a highway patrol officer;

1-24 (3) a sheriff or sheriff's deputy;

1-25 (4) a municipal police officer in a municipality with
1-26 a population of:

1-27 (A) 100,000 or more; or

1-28 (B) 74,000 or more in a county with a population
1-29 of more than 1.5 million; ~~or~~

1-30 (5) a police officer certified under Section 644.101;
1-31 or

1-32 (6) a constable or deputy constable designated under
1-33 Section 621.4015.

1-34 SECTION 2. Subchapter F, Chapter 621, Transportation Code,
1-35 is amended by adding Section 621.4015 to read as follows:

1-36 Sec. 621.4015. DESIGNATION BY COMMISSIONERS COURT. A
1-37 county commissioners court may designate a constable or deputy
1-38 constable of the county as a weight enforcement officer in a county:

1-39 (1) that is adjacent to a county with a population of
1-40 3.3 million or more; and

1-41 (2) in which a planned community is located that has
1-42 20,000 or more acres of land, that was originally established under
1-43 the Urban Growth and New Community Development Act of 1970 (42
1-44 U.S.C. Section 4501 et seq.), and that is subject to restrictive
1-45 covenants containing ad valorem or annual variable budget based
1-46 assessments on real property.

1-47 SECTION 3. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect September 1, 2005.

1-52 * * * * *