

By: Chisum

H.B. No. 1610

Substitute the following for H.B. No. 1610:

By: Laney

C.S.H.B. No. 1610

A BILL TO BE ENTITLED

AN ACT

relating to a county fee and certain maps regarding an activity that excavates or cuts the surface of a county road.

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

SECTION 1. Subchapter Z, Chapter 240, Local Government Code, is amended by adding Section 240.907 to read as follows:

Sec. 240.907. FEE FOR CUTTING COUNTY ROAD; MAP OF PIPELINE REQUIRED. (a) In this section, a cut of a county road means the act of excavating or cutting the surface of a county road.

(b) To provide funds for the future inspection, repair, and maintenance of a cut road, a county may impose a fee on a person or other entity for each cut of a county road during or as an incident to the installation, maintenance, or repair of any facilities or properties of the person or entity.

(c) The fee authorized by this section:

(1) may not exceed \$500;

(2) may be imposed either before or after the cutting of the road; and

(3) is in addition to any other charge the county is authorized to impose to repair damage to the road because of the cut.

(d) This section does not apply in relation to a person or other entity that:

(1) has entered into an agreement with the county that

1 provides for fees to be paid by the person or entity for the use of
2 the county roads; or

3 (2) is a utility that is not required under Chapter
4 181, Utilities Code, to provide notice to a commissioners court of a
5 county.

6 (e) To minimize the costs associated with inspection,
7 repair, and maintenance of a cut of a county road, the owner or
8 operator of a natural or casinghead gas pipeline shall prepare a map
9 that clearly identifies all connections in the county to existing
10 wells from which natural or casinghead gas is gathered or
11 transported and the delivery points in the county for all gas
12 pipeline facilities. The map must be filed with the county clerk of
13 the county and be in a format specified by the county clerk to
14 minimize the costs associated with handling, storing, and using the
15 maps.

16 SECTION 2. A fee imposed under Section 240.907, Local
17 Government Code, as added by this Act, applies only to a cutting of
18 a county road that occurs on or after the effective date of this
19 Act.

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