

By: Gallegos

S.B. No. 1763

A BILL TO BE ENTITLED

AN ACT

relating to the authority of Harris County to remove personal property from county roads and rights-of-way.

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

SECTION 1. Chapter 17, Special Laws, Acts of the 33rd Legislature, Regular Session, 1913, is amended by adding Section 1-C to read as follows:

Sec. 1-C. (a) Harris County may remove personal property of any kind from the right-of-way or roadway of a county road if the county determines that the property blocks the right-of-way or roadway or that the property endangers public safety. The county may remove the personal property without the consent of the owner or carrier of the property.

(b) The owner or carrier of personal property removed under this section shall reimburse the county for the cost of removal and disposition.

(c) The county and its officers and employees are not liable for:

(1) any damage to personal property resulting from its removal or disposal by the county except for a reckless or grossly negligent removal or disposal; or

(2) any damage resulting from a failure to exercise authority granted under this section.

SECTION 2. This Act takes effect immediately if it receives

S.B. No. 1763

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2005.