

## **BILL ANALYSIS**

Senate Research Center  
80R10683 MSE-D

H.B. 2591  
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Intergovernmental Relations  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, counties have the authority to improve deteriorating roads and to assess the cost of such improvements to subdivision residents within unincorporated areas of the county. However, municipalities do not have such authority, and thus may be unable to finance the same types of improvements.

H.B. 2591 authorizes municipalities to improve roads and to assess the cost of said improvements to subdivision residents of the municipality. This bill maintains requirements for municipalities as is applied to counties regarding public notice of a proposal to improve a road, public hearing regarding such a proposal, and majority approval by mail of the affected property owners who would be assessed with the cost of improvement.

This bill authorizes a county to only improve a road within a municipality if the governing body of the municipality and the commissioners court agree to such an improvement and indicate whether the improved road will become a county road or a municipal road.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 253.001, Transportation Code, to provide that this chapter (County Improvement of Subdivision Roads) applies to an access road, rather than an access road in an unincorporated area of a county.

SECTION 2. Amends Chapter 253, Transportation Code, by adding Section 253.012, as follows:

Sec. 253.012. ROADS IN MUNICIPALITIES. (a) Authorizes a county to improve a road in a subdivision or an access road to a subdivision that is located in a municipality only if the governing body of the municipality and the commissioners court of the county agree that the county is authorized to improve the road and indicate whether the improved road will become a county road or a municipal road in such an agreement.

(b) Requires the county to meet the other requirements of this subchapter and for the commissioners court of the county to find that the improvement of the road serves a county purpose, before a county is authorized to improve a road located in a municipality under this section.

(c) Provides that Section 253.011 (Maintenance of Roads) does not apply to a road improved under this section.

SECTION 3. Effective date: upon passage or September 1, 2007.