

BILL ANALYSIS

C.S.S.B. 254
By: Ellis
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the commissioners court of a county with a population of more than 2.2 million is not authorized to regulate the roadside sale of animals.

Roadside sales of animals circumvent mechanisms for ensuring that a pet is appropriately registered, vaccinated, and spayed or neutered. Furthermore, roadside animal sales can affect local traffic patterns and conditions, potentially causing traffic accidents.

C.S.S.B. 254 authorizes the commissioners court of a county with a population of more than 1.3 million, by order to regulate the sale of animals on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot in the unincorporated area of the county

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 285.001 of the Transportation Code, as follows:

Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR. Adds the sale of live animals as well as the erection, maintenance, or placement of a structure by a vendor of such to the types of food or merchandise items that the commissioners court of a county with a population of more than 1.3 million, rather than 2.2 million, by order may regulate if the sale occurs or the structure is placed on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot in the unincorporated area of the county.

SECTION 2. Effective date: September 1, 2007.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B. 254 modifies the original S.B. 254 by providing that the commissioners court of a county with a population of more than 1.3 million by order may regulate the following in the unincorporated area of the county if they occur on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot. Whereas S.B.254 provided that the commissioners court may regulate the following if they occur on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot in the unincorporated area of the county.

In the substitute, there was a change in the way the words were arranged in the sentence, however the meaning remained the same.

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