

## **BILL ANALYSIS**

H.B. 2947  
By: Miller, Doug  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, Transportation Code does not establish certain requirements for orders regarding the closing, abandoning and vacating of public roads. Without certain requirements for the orders to be filed, the deed records of the county are unable to be properly indexed by the county clerk.

The Comal County Commissioners Court supports legislation to establish certain requirements for orders which close, abandon, and/or vacate public roads to be filed in the deed records of the county.

H.B. 2947 relates to the requirement that certain orders closing, abandoning, or vacating a county road be filed and indexed in the deed records of the county where the road is located.

H.B. 2947 requires orders to include the name of each property owner who receives a conveyance, include the dimensions of the property being conveyed to each property owner, and be indexed in the deed records of the county in a manner that allows the county to communicate with property owners impacted by these orders.

### **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**

H.B. 2947 amends Transportation Code to specify the order process; within Section 251.058 (b):

H.B. 2947 will amend and add language to 251.058 to read:

- Title to a public road or portion of a public road that is closed, abandoned, and vacated to the center line of the road vests on the date the order is signed by the county judge in the owner of the property that abuts the portion of the road being closed, abandoned, and vacated. A copy of the order shall be filed in the deed records of the county and serves as the official instrument of conveyance from the county to the owner of the abutting property.
- The order shall:
  - a) include the name of each property owner who receives a conveyance under this section;
  - b) include the dimensions of the property being conveyed to each property owner;and

be indexed in the deed records of the county in a manner that describes the county conveying the property as grantor and the property owner receiving the conveyance as grantee.

### **EFFECTIVE DATE**

This act take effect September 1, 2009.