

AN ACT

relating to the procedure for the removal of a cattle guard on a county road.

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

SECTION 1. Subchapter A, Chapter 251, Transportation Code, is amended by adding Section 251.0096 to read as follows:

Sec. 251.0096. REMOVAL OF CATTLE GUARDS FROM COUNTY ROADS.

(a) The commissioners court of a county may remove a cattle guard from a county road of any class if the commissioners court notifies each person who owns land adjacent to the cattle guard by certified mail not less than 90 days before the proposed removal of the cattle guard.

(b) The commissioners court is not required to hold a public hearing on a proposed cattle guard removal. If a resident of the county requests a public hearing, the commissioners court shall hold a public hearing on the removal of the cattle guard. To be valid, a request for a public hearing must be in writing and be made before the 75th day after the date the notice required by Subsection (a) is mailed.

SECTION 2. This Act takes effect September 1, 2009.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1059 passed the Senate on April 9, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1059 passed the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor