

1-1 By: Hegar, Zaffirini S.B. No. 1059
1-2 (In the Senate - Filed February 23, 2009; March 13, 2009, read
1-3 first time and referred to Committee on Agriculture and Rural
1-4 Affairs; April 2, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 2, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1059 By: Uresti

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the procedure for the removal of a cattle guard on a
1-11 county road.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 251, Transportation Code,
1-14 is amended by adding Section 251.0096 to read as follows:

1-15 Sec. 251.0096. REMOVAL OF CATTLE GUARDS FROM COUNTY ROADS.

1-16 (a) The commissioners court of a county may remove a cattle guard
1-17 from a county road of any class if the commissioners court notifies
1-18 each person who owns land adjacent to the cattle guard by certified
1-19 mail not less than 90 days before the proposed removal of the cattle
1-20 guard.

1-21 (b) The commissioners court is not required to hold a public
1-22 hearing on a proposed cattle guard removal. If a resident of the
1-23 county requests a public hearing, the commissioners court shall
1-24 hold a public hearing on the removal of the cattle guard. To be
1-25 valid, a request for a public hearing must be in writing and be made
1-26 before the 75th day after the date the notice required by Subsection
1-27 (a) is mailed.

1-28 SECTION 2. This Act takes effect September 1, 2009.

1-29 * * * * *