

By: Munoz, Jr., Eissler, Laubenberg, Marquez

H.B. No. 1768

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of roadside vendors and solicitors.

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

SECTION 1. The heading to Chapter 285, Transportation Code, is amended to read as follows:

CHAPTER 285. COUNTY REGULATION OF ROADSIDE VENDOR AND SOLICITOR IN CERTAIN COUNTIES

SECTION 2. Section 285.001, Transportation Code, is amended to read as follows:

Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR.

(a) To promote the public safety, the commissioners court of a county with a population of more than 450,000 [~~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:

(1) the sale of items by a vendor of food or merchandise, including live animals, except as provided by Subsection (b);

(2) the erection, maintenance, or placement of a structure by a vendor of food or merchandise, including live animals; and

(3) the solicitation of money.

(b) An order under Subsection (a) may not prohibit the sale of livestock.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2011.