

BILL ANALYSIS

C.S.H.B. 3273
By: Simmons
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recently enacted legislation allows the residents of special districts in certain counties to file a petition with the commissioners court of the county requesting the county to enforce traffic rules on roads within the district. The law requires 50 percent of property owners residing in the special district to sign the petition before the county can consider the request. Interested parties contend that this threshold has proven so unattainable in certain counties that only a few special districts have been able to meet the requirements, even when both the county and the special district board have supported the request. C.S.H.B. 3273 addresses this issue by changing the petition signature requirements in certain of those counties.

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

C.S.H.B. 3273 amends the Transportation Code to require a petition requesting that county enforcement of specified traffic rules on county roads be extended to specified roads of a special district located in the unincorporated area of a county with a population of more than 600,000 and less than 750,000 to be signed by 25 percent of the property owners residing in the area that is served by the district roads over which county enforcement is sought.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3273 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 542.0081(b), Transportation Code, is amended to read as follows:

(b) The residents of all or any portion of a special district may file a petition with the commissioners court of the county in which the roads are located requesting that county

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 542.0081, Transportation Code, is amended by adding Subsection (b-1) to read as follows:

No equivalent provision.

enforcement of traffic rules on county roads be extended to the roads of the district. The petition must:

- (1) specify the roads over which county enforcement is sought;
- (2) specify the traffic rules for which county enforcement is sought; and
- (3) be signed by 25 [~~50~~] percent of the property owners residing in the area that is served by the roads of the district over which county enforcement is sought.

No equivalent provision.

(b-1) Notwithstanding Subsection (b)(3), in a county with a population of more than 600,000 and less than 750,000, the petition described by Subsection (b) must be signed by 25 percent of the property owners residing in the area that is served by the roads of the district over which county enforcement is sought.

SECTION 2. The change in law made by this Act applies only to a petition filed on or after the effective date of this Act. A petition filed before the effective date of this Act is governed by the law in effect on the date the petition was filed, and the former law is continued in effect for that purpose.

SECTION 2. Same as introduced version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 3. Same as introduced version.