

By: Munoz, Jr.

H.B. No. 2094

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of roadside vendors and solicitors in certain counties.

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

SECTION 1. 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 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;

(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) The commissioners court of a county with a population of more than 700,000 and less than 800,000 that borders the United Mexican States by order may regulate the activities described by Subsection (a) in the manner described by that subsection, except that:

(1) the regulation of activities on or in the

1 right-of-way of a public highway or road is limited to public  
2 highways and roads with a speed limit of 40 miles per hour or  
3 faster; and

4 (2) the county may not prohibit the sale of livestock.

5 (c) A county regulating vendors under Subsection (b) may  
6 require that a vendor be located not closer to the edge of the  
7 public highway or road than a distance that is equal to one-half the  
8 width of the right-of-way adjacent to the highway or road.

9 SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2013.