

By: Harless

H.B. No. 1709

A BILL TO BE ENTITLED

AN ACT

relating to the closing, abandoning, and vacating of a public road by a county; authorizing the imposition of a fee.

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

SECTION 1. Section 251.058, Transportation Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) If a commissioners court closes, abandons, and vacates a public road or a portion of a public road at the request of an owner of property that abuts the portion of the road being closed, abandoned, and vacated, the commissioners court may require the owner to:

(1) pay all reasonable administrative costs incurred for processing the request and recording the order described by Subsection (b) in the county deed records; and

(2) reimburse the county for the market value of any property interest conveyed to the owner.

(e) A county by order of the commissioners court may adopt standard fees required to be paid under Subsection (d)(1) for processing a request and recording an order.

SECTION 2. The change in law made by this Act to Section 251.058, Transportation Code, applies only to a request to close, abandon, and vacate a public road or a portion of a public road that is submitted to a commissioners court on or after the effective date of this Act. A request submitted to a commissioners court before the

1 effective date of this Act is governed by the law in effect when the
2 request was submitted, and the former law is continued in effect for
3 that purpose.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2015.