

# SENATE AMENDMENTS

**2<sup>nd</sup> Printing**

By: Springer

H.B. No. 463

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the ability to mow, bale, shred, or hoe material on a  
3 state highway right-of-way.

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

5 SECTION 1. Section 202.059(b), Transportation Code, is  
6 repealed.

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2015.

# ADOPTED

MAY 27 2015

BY: Springer/Kolkhorst <sup>*Lacey Spaul*</sup>  
Secretary of the Senate H.B. No. 443

Substitute the following for H.B. No. 443:  
BY: B. W. Kolbe C.S. H.B. No. 443

## A BILL TO BE ENTITLED

### AN ACT

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2 relating to the ability to mow, bale, shred, or hoe material on a  
3 state highway right-of-way.

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

5 SECTION 1. Section 202.059(b), Transportation Code, is  
6 amended to read as follows:

7 (b) In a county with a population of more than 10,000, if  
8 ~~[If]~~ the person requesting permission under Subsection (a) is not  
9 the owner of the real property adjacent to the right-of-way that is  
10 the subject of the request, the district engineer must first  
11 provide the owner of the property the option of mowing, baling,  
12 shredding, or hoeing material on the right-of-way before granting  
13 permission to another person.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2015.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 28, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB463** by Springer (Relating to the ability to mow, bale, shred, or hoe material on a state highway right-of-way.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, SD, AG, NV, TG

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 22, 2015**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB463** by Springer (Relating to the ability to mow, bale, shred, or hoe material on a state highway right-of-way.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 1, 2015**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB463** by Springer (Relating to the ability to mow, bale, shred, or hoe material on a state highway right-of-way.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would repeal Section 202.059 (b) of the Transportation Code, which requires a Texas Department of Transportation (TxDOT) District Engineer to notify property owners of a third party's request to mow, bail, shred or hoe material on state highway right of way adjacent to their property and to offer property owners the first right of refusal to mow, bail, shred, or hoe material on that right-of-way.

Based on the analysis provided by TxDOT, it is assumed the provisions of the bill not would result in a significant fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 11, 2015**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB463** by Springer (Relating to the ability to mow, bale, shred, or hoe material on a state highway right-of-way.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would repeal Section 202.059 (b) of the Transportation Code, which requires a Texas Department of Transportation (TxDOT) District Engineer to notify property owners of a third party's request to mow, bail, shred or hoe material on state highway right of way adjacent to their property and to offer property owners the first right of refusal to mow, bail, shred, or hoe material on that right-of-way.

Based on the analysis provided by TxDOT, it is assumed the provisions of the bill not would result in a significant fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG