

1-1 By: Thompson of Brazoria (Senate Sponsor - Taylor) H.B. No. 1263
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 7, 2019, read first time and referred to Committee on Water &
 1-4 Rural Affairs; May 19, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 May 19, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1263 By: Creighton

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to an order by the Brazoria Drainage District Number 4 to
 1-20 maintain certain infrastructure.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 991, Acts of the 74th Legislature,
 1-23 Regular Session, 1995, is amended by adding Section 5A to read as
 1-24 follows:

1-25 SECTION 5A. ORDER TO MAINTAIN CERTAIN INFRASTRUCTURE ON
 1-26 PRIVATE PROPERTY. (a) This section does not apply to a property
 1-27 owner that is a railroad that owns or leases:

1-28 (1) locomotives and freight rail cars; and
 1-29 (2) rights-of-way used for the purposes of
 1-30 transporting goods by rail between at least two terminuses.

1-31 (b) The district may order a property owner to clear or
 1-32 otherwise maintain a canal, drain, ditch, or levee located on the
 1-33 owner's private property.

1-34 (c) A property owner who receives an order under Subsection
 1-35 (b) of this section may comply with the order by:

1-36 (1) providing consent for the district to perform the
 1-37 clearing or maintenance described in the order; or

1-38 (2) performing the clearing or maintenance described
 1-39 in the order.

1-40 (d) If a property owner who receives an order under
 1-41 Subsection (b) of this section fails to comply with the order before
 1-42 the 180th day after the date the order was issued, the district, if
 1-43 the property owner does not deny access to the property, may enter
 1-44 the property to perform the clearing or maintenance described in
 1-45 the order.

1-46 SECTION 2. This Act takes effect September 1, 2019.

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