

BILL ANALYSIS

H.B. 2012
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Intergovernmental Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes the commissioners court of a county with a population of more than 1.3 million to regulate certain roadside vendor activities 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. This authorization currently applies to the commissioners courts of Harris, Dallas, Tarrant, and Bexar Counties. The bill author has informed the committee that in 2024, the Montgomery County Commissioners Court passed a resolution with unanimous support calling for legislation authorizing the county to regulate roadside businesses in the unincorporated area of the county, citing the increasing proliferation of roadside businesses that pose safety and welfare challenges for the citizens of the county without corresponding regulatory controls. H.B. 2012 seeks to allow that commissioners court to do so.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 2012 amends the Transportation Code to authorize the commissioners court of a county with a population of more than 600,000 that is adjacent to a county with a population of more than four million to regulate by order 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:

- the sale of items by a vendor of food or merchandise, including live animals;
- the erection, maintenance, or placement of a structure by a vendor of food or merchandise, including live animals; and
- the solicitation of money.

EFFECTIVE DATE

September 1, 2025.