

BILL ANALYSIS

Senate Research Center
89R13910 GP-F

S.B. 2589
By: Zaffirini
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When a county road is closed, abandoned, or vacated by a county commissioners court, county judges must convey the land on which the county road had been to landowners whose property line abuts the road. This can create issues, however, if landowners do not want the land, or if they refuse to maintain it.

Accordingly, S.B. 2589 would authorize county commissioners courts to petition municipalities to annex the property on which a closed county road existed if they believe the conveyance would create a public nuisance or safety hazard. If the municipality agrees to the petition, the county commissioners court would be authorized to use the land for a non-motorized public purpose, such as a park or hiking trail, or to annex the road.

This bill would apply only to county roads located wholly or partially in unincorporated space and abutting to single family residential lots that are located wholly in the corporate limits of a municipality.

S.B. 2589 would give county commissioners courts the ability to transfer unwanted land in an orderly manner, improving public use of these spaces, while ensuring these areas do not endanger public safety.

As proposed, S.B. 2589 amends current law relating to procedures for a commissioners court to close, abandon, or vacate certain county roads.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 251.058, Transportation Code, by amending Subsection (b) and adding Subsections (b-2) and (b-3), as follows:

(b) Creates an exception under Subsection (b-3).

(b-2) Provides that Subsection (b-3) applies only to a county road that is located wholly or partially outside the corporate limits of a municipality and abuts single family residential lots in a planned residential subdivision that is located wholly in the corporate limits of a municipality.

(b-3) Provides that, notwithstanding Subsection (b) (relating to providing that title to a public road or portion of a public road that meets certain criteria vests on the date the order is signed by the county judge in the owner of the property that abuts the portion of the road), a commissioners court that closes, abandons, or vacates a county road to which this subsection applies:

(1) is not required to comply with the procedure established under Subsection (b) if the commissioners court finds that conveying the county road to any abutting property's owner will create a public nuisance or safety hazard; and

(2) on a finding described by Subdivision (1), is authorized to petition the municipality to annex the county road or use the county road for any public purpose not related to motorized vehicle traffic, including as a hiking and biking trail or as a linear park.

SECTION 2. Effective date: September 1, 2025.