

By: McLaughlin

H.B. No. 3793

A BILL TO BE ENTITLED

AN ACT

relating to procedures for a commissioners court to close, abandon,
or vacate certain county roads.

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

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

(b) Except as provided by Subsection (b-3), title [Title] to
a public road or portion of a public road that is closed, abandoned,
and vacated to the center line of the road 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 being closed, abandoned, and
vacated. A copy of the order shall be filed in the deed records of
the county and serves as the official instrument of conveyance from
the county to the owner of the abutting property. The order shall:

(1) include the name of each property owner who
receives a conveyance under this section;

(2) include the dimensions of the property being
conveyed to each property owner;

(3) be indexed in the deed records of the county in a
manner that describes:

(A) the county conveying the property as grantor;
and

(B) the property owner receiving the conveyance

as grantee; and

(4) if a public utility or common carrier that has the right of eminent domain is using the property being conveyed for a right-of-way or easement purpose, state that the title to the property is subject to the right-of-way or easement and the continued use by the public utility or common carrier of utility infrastructure in existence on the date the order is signed.

(b-2) Subsection (b-3) applies only to a county road that:

(1) is located wholly or partly outside the corporate limits of a municipality; and

(2) abuts single family residential lots in a planned residential subdivision that is located wholly in the corporate limits of a municipality.

(b-3) Notwithstanding Subsection (b), 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), may:

(A) petition the municipality to annex the county road; or

(B) use the county road for any permissible purpose not related to motorized vehicle traffic, including as a hiking and biking trail.

SECTION 2. This Act takes effect September 1, 2025.