

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 public 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 Subsection (b-2) to read as  
follows:

(b) Except as provided by Subsection (b-2), 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

1 as grantee; and

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

8 (b-2) Notwithstanding Subsection (b), a commissioners court  
9 that closes, abandons, or vacates a public road that abuts an  
10 existing single family residential lot in a planned residential  
11 subdivision located wholly in the corporate limits of a  
12 municipality is not required to comply with the procedure  
13 established under Subsection (b) if the commissioners court finds  
14 that conveying the property to any abutting property's owner will  
15 create a public nuisance or safety hazard.

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