

1-1 By: Zaffirini S.B. No. 2589
1-2 (In the Senate - Filed March 13, 2025; April 3, 2025, read
1-3 first time and referred to Committee on Transportation;
1-4 April 23, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 23, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Nichols	X			
1-10	West	X			
1-11	Bettencourt	X			
1-12	Hagenbuch	X			
1-13	Hinojosa of Hidalgo	X			
1-14	Johnson	X			
1-15	King	X			
1-16	Miles	X			
1-17	Perry	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2589 By: Hinojosa of Hidalgo

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to procedures for a commissioners court to close, abandon,
1-22 or vacate certain county roads.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 251.058, Transportation Code, is amended
1-25 by amending Subsection (b) and adding Subsections (b-2) and (b-3)
1-26 to read as follows:

1-27 (b) Except as provided by Subsection (b-3), title [Title] to
1-28 a public road or portion of a public road that is closed, abandoned,
1-29 and vacated to the center line of the road vests on the date the
1-30 order is signed by the county judge in the owner of the property
1-31 that abuts the portion of the road being closed, abandoned, and
1-32 vacated. A copy of the order shall be filed in the deed records of
1-33 the county and serves as the official instrument of conveyance from
1-34 the county to the owner of the abutting property. The order shall:

1-35 (1) include the name of each property owner who
1-36 receives a conveyance under this section;

1-37 (2) include the dimensions of the property being
1-38 conveyed to each property owner;

1-39 (3) be indexed in the deed records of the county in a
1-40 manner that describes:

1-41 (A) the county conveying the property as grantor;
1-42 and

1-43 (B) the property owner receiving the conveyance
1-44 as grantee; and

1-45 (4) if a public utility or common carrier that has the
1-46 right of eminent domain is using the property being conveyed for a
1-47 right-of-way or easement purpose, state that the title to the
1-48 property is subject to the right-of-way or easement and the
1-49 continued use by the public utility or common carrier of utility
1-50 infrastructure in existence on the date the order is signed.

1-51 (b-2) Subsection (b-3) applies only to a county road that:

1-52 (1) is located wholly or partially:

1-53 (A) outside the corporate limits of a
1-54 municipality; and

1-55 (B) in a county located on the Texas-Mexico
1-56 border that has a population of less than 300,000 and contains a
1-57 municipality with a population of 200,000 or more; and

1-58 (2) abuts single family residential lots in a planned
1-59 residential subdivision that is located wholly in the corporate
1-60 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 public purpose not related to motorized vehicle traffic, including as a hiking and biking trail or as a linear park.

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

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