

House Bill 2731
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Sections 285.001(a) and (b), Transportation Code, are amended to read as follows:

(a) To promote the public safety, the commissioners court of a county with a population of more than 500,000 [~~1.3 million~~] by order may regulate 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:

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

(b) The commissioners court of a county with a population of more than 200,000 [~~870,000~~] that borders the United Mexican States by order may regulate the activities described by Subsection (a) in the manner described by that subsection, except that:

- ~~[(1) the regulation of activities on or in the right-of-way of a public highway or road is limited to public highways and roads with a speed limit of 40 miles per hour or faster; and~~
- ~~[(2)] the county may not prohibit the sale of livestock.~~

SENATE VERSION (CS)

SECTION 1. Sections 285.001(b) and (c), Transportation Code, are amended to read as follows:

(b) The commissioners court of a county with a population of more than 200,000 [~~870,000~~] that borders the United Mexican States by order may regulate the following activities in the unincorporated areas of the county, provided that the activities occur in a parking lot or on or in the right-of-way of a public highway or road [described by Subsection (a) in the manner described by that subsection, except that]:

- (1) the sale of items and the erection, maintenance, or placement of a structure by a vendor of live animals [the regulation of activities on or in the right-of-way of a public highway or road is limited to public highways and roads with a speed limit of 40 miles per hour or faster]; and
- (2) the solicitation of money [the county may not prohibit the sale of livestock].

(c) A county regulating vendors under Subsection (b):

- (1) may require that a vendor be located not closer to the edge of the public highway or road than a distance that is equal to one-half the width of the right-of-way adjacent to the highway or road; and

CONFERENCE

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(2) may not adopt an order under Subsection (b) prohibiting the sale of livestock.

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

SECTION 2. Same as House version.