

BILL ANALYSIS

H.B. 463
By: Springer
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the current procedure for an individual wishing to clear a state highway right-of-way of overgrown vegetation is cumbersome and time-consuming. The parties note that in order for an individual who does not own the property adjacent to the overgrown right-of-way to contribute to the safety of the community by clearing the right-of-way, the district engineer must give adjacent property owners certain preferences in clearing the right-of-way. H.B. 463 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 463 repeals Section 202.059(b), Transportation Code, requiring a Texas Department of Transportation district engineer, if a person requesting permission to mow, bale, shred, or hoe material on the right-of-way of a portion of a state highway located in the district supervised by the engineer is not the owner of the real property adjacent to the right-of-way that is the subject of the request, to first provide the owner of that property the option of mowing, baling, shredding, or hoeing material on the right-of-way before granting permission to another person.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.