

Chapter 1283

H.B. No. 1263

1 AN ACT
2 relating to an order by the Brazoria Drainage District Number 4 to
3 maintain certain infrastructure.

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

5 SECTION 1. Chapter 991, Acts of the 74th Legislature,
6 Regular Session, 1995, is amended by adding Section 5A to read as
7 follows:

8 SECTION 5A. ORDER TO MAINTAIN CERTAIN INFRASTRUCTURE ON
9 PRIVATE PROPERTY. (a) This section does not apply to a property
10 owner that is a railroad that owns or leases:

11 (1) locomotives and freight rail cars; and

12 (2) rights-of-way used for the purposes of
13 transporting goods by rail between at least two terminuses.

14 (b) The district may order a property owner to clear or
15 otherwise maintain a canal, drain, ditch, or levee located on the
16 owner's private property.

17 (c) A property owner who receives an order under Subsection
18 (b) of this section may comply with the order by:

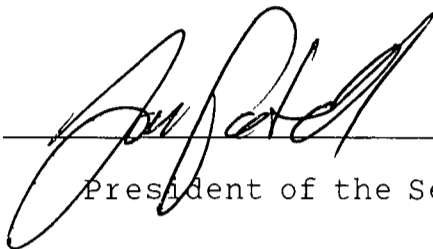
19 (1) providing consent for the district to perform the
20 clearing or maintenance described in the order; or

21 (2) performing the clearing or maintenance described
22 in the order.

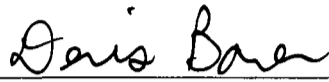
23 (d) If a property owner who receives an order under
24 Subsection (b) of this section fails to comply with the order before

1 the 180th day after the date the order was issued, the district, if
2 the property owner does not deny access to the property, may enter
3 the property to perform the clearing or maintenance described in
4 the order.

5 SECTION 2. This Act takes effect September 1, 2019.



President of the Senate



Speaker of the House

I certify that H.B. No. 1263 was passed by the House on May 3, 2019, by the following vote: Yeas 127, Nays 13, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1263 on May 24, 2019, by the following vote: Yeas 118, Nays 21, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 1263 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 30, Nays 1.



Secretary of the Senate

APPROVED: 6-13-2019
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

10:00AM O'CLOCK

JUN 14 2019



Secretary of State