

AN ACT

relating to cattle guards constructed on county roads.

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

SECTION 1. The heading to Section 251.009, Transportation Code, is amended to read as follows:

Sec. 251.009. CONSTRUCTION OF CATTLE GUARDS ON COUNTY ROADS ~~[IN CERTAIN COUNTIES]~~; OFFENSE.

SECTION 2. Subsection (a), Section 251.009, Transportation Code, is amended to read as follows:

(a) The commissioners court of a county ~~[with a population of less than 60,000]~~ may authorize the construction of cattle guards on a county road of any class. A cattle guard authorized under this section is not an obstruction of the road.

SECTION 3. Subchapter A, Chapter 143, Agriculture Code, is amended by adding Section 143.003 to read as follows:

Sec. 143.003. CATTLE ON COUNTY ROAD WITH CATTLE GUARD.
Cattle on a county road are not considered to be running at large if the county road:

(1) separates two tracts of land under common ownership or lease; and

(2) contains a cattle guard constructed as authorized under Section 251.009, Transportation Code, that serves as part of the fencing of the two tracts.

SECTION 4. This Act takes effect September 1, 2007.

David Newkumst
President of the Senate

Tom Craddock
Speaker of the House

I hereby certify that S.B. No. 66 passed the Senate on March 14, 2007, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 15, 2007, by the following vote: Yeas 31, Nays 0.

Patsey Spaw
Secretary of the Senate

I hereby certify that S.B. No. 66 passed the House, with amendment, on May 11, 2007, by the following vote: Yeas 144, Nays 0, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

15 JUN 07
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3 PM O'CLOCK

Roger Williams
Secretary of State