

CHAPTER 678

S.B. No. 1421

An Act relating to the acquisition by purchase of existing roads by a road district; amending the County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes) by amending Subsection (b), Section 4.411 and by adding Section 4.447.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (b), Section 4.411, County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes), is amended to read as follows:

“(b) Any county or any political subdivision of a county or any road district may issue bonds for the purpose of the construction, *acquisition by purchase*, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes or in aid of these purposes in any amount not to exceed one-fourth of the assessed valuation of the real property of the county, political subdivision, or road district and may levy and collect ad valorem taxes to pay the interest on the bonds and provide a sinking fund for the redemption of the bonds. The bonds shall be issued in the manner provided in this part and as contemplated and authorized by Article III, Section 52, of the Texas Constitution.”

SECTION 2. The County Road and Bridge Act, as amended (Article 6702-1, Vernon's Texas Civil Statutes), is amended by adding Section 4.447 to read as follows:

“Section 4.447. Any road district created pursuant to Article III, Section 52, of the Texas Constitution may with bond proceeds or any other available revenue purchase improved roads constructed prior to the creation of the district so long as the road had been constructed or otherwise improved as a result of the award of contracts in substantial conformity with the bid procedures applicable to and required to be observed by a county and so long as such roads have been improved or constructed in accordance with the road standards and regulations of the county in which they are located. Construction contracts to be awarded for the construction and improvement of roads contemplated to be purchased by a road district to be created must be approved by the commissioners court of the county in which the road is or will be situated.

“Any road district bond election may state as one of its purposes the acquisition of existing roads, privately constructed, for an amount not to exceed the cost of construction on the basis of competitive bid contracts.

“Notwithstanding the above provisions any road district may acquire an existing road privately constructed and owned at a price not to exceed its replacement cost as that may be determined by the ex officio directors of the district.”

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 9, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 24, 1985, by the following vote: Yeas 145, Nays 3, one present not voting.

Approved: June 14, 1985

Effective: Immediately