

By: Oliverson

H.B. No. 866

A BILL TO BE ENTITLED

AN ACT

relating to approval of certain land development applications by a municipality or county.

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

SECTION 1. Section 212.009, Local Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Unless specifically authorized by another law of this state, a municipal planning commission or the governing body of the municipality may not:

(1) require a person to fulfill any prerequisites or conditions or obtain any approvals before the person files a copy of the plan or plat with the municipal planning commission or governing body;

(2) delay the starting date for calculating any applicable timeframe under this chapter to approve or disapprove a plan or plat by not considering the date the plan or plat was filed as the starting date; or

(3) refuse to accept, acknowledge, process, or act on a filed copy of the plan or plat.

SECTION 2. The heading to Section 232.00285, Local Government Code, is amended to read as follows:

Sec. 232.00285. APPROVAL PROCEDURE: LIMITATIONS ON COUNTY AUTHORITY [~~DEVELOPMENT PLAN REVIEW~~].

SECTION 3. Section 232.00285, Local Government Code, is

1 amended by adding Subsection (a-1) to read as follows:

2 (a-1) Unless specifically authorized by another law of this  
3 state, the commissioners court of a county or the court's designee  
4 may not:

5 (1) require a person to submit or obtain approval of  
6 any documentation or other information or fulfill any other  
7 prerequisites or conditions before the person submits a plat  
8 application to the commissioners court or the court's designee;

9 (2) delay the starting date for calculating any  
10 applicable timeframe under this chapter to approve or disapprove  
11 the plat application by not considering the date the application  
12 was filed as the starting date; or

13 (3) refuse to accept, acknowledge, process, or act on  
14 a submitted or received plat application.

15 SECTION 4. Section [212.009](#)(a-1), Local Government Code, as  
16 added by this Act, applies only to a plan or plat filed on or after  
17 the effective date of this Act.

18 SECTION 5. Section [232.00285](#)(a-1), Local Government Code,  
19 as added by this Act, applies only to a plat application submitted  
20 on or after the effective date of this Act.

21 SECTION 6. This Act takes effect September 1, 2023.