

By: Holland

H.B. No. 1916

A BILL TO BE ENTITLED

AN ACT

relating to approval of subdivision plats, improvement projects,
and certain special districts by certain counties.

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

SECTION 1. Subchapter A, Chapter 232, Local Government
Code, is amended by adding Section 232.012 to read as follows:

Sec. 232.012. COUNTY APPROVAL FOR CERTAIN DISTRICTS AND
IMPROVEMENTS. (a) This section applies only to:

(1) a county with:

(A) a population of 100,000 or more; and

(B) a total area that is less than 250 square
miles; and

(2) a district subject to Chapter 49, Water Code, or
Chapter 372, of this code, that is:

(A) wholly located outside the corporate limits
or extraterritorial jurisdiction of a municipality; and

(B) located in a county described by Subdivision
(1).

(b) A plat application submitted to a county subject to this
section must include a plan for the provision of emergency
services, including public safety, fire suppression, and emergency
medical services, to the tract of land.

(c) A developer of a subdivision of land outside the
corporate limits or extraterritorial jurisdiction of a

1 municipality must obtain the written approval of the commissioners
2 court of the county before finalizing the plans and specifications
3 for an improvement project that is:

4 (1) a road or drainage improvement that is within a
5 plat that is subject to the platting jurisdiction of the county;

6 (2) a road or drainage improvement to be located on the
7 property, right-of-way, or easement of the county; or

8 (3) a dedication of right-of-way of a road or highway
9 by the developer to the county.

10 (d) A copy of the final official statement of bonds issued
11 for an improvement described by Subsection (c) shall be provided by
12 a district or other issuer of the bonds to the county clerk within
13 60 days of the date of closing of the transaction. The official
14 statement shall include a statement on the cover that the bonds are
15 not obligations of the county.

16 (e) A developer of a subdivision of land outside the
17 corporate limits or extraterritorial jurisdiction of a
18 municipality, but within a district, shall include a note on plats
19 that the land is within a district that levies a tax or assessment
20 and that the infrastructure to serve the land is financed,
21 designed, and constructed by the district, not the county. The
22 county shall prescribe the form and wording of the plat note.

23 (f) A district that is subject to Subchapter M, Chapter 49,
24 Water Code, or Section 5.014, Property Code, shall include in the
25 required form of notice to purchasers the following statement:
26 "The district is located in the unincorporated area of the county
27 and not within any city jurisdiction. The infrastructure to serve

1 the property is designed and constructed by the district, and not
2 the county."

3 (g) The creation of a district shall be reviewed by the
4 county as provided by this subsection. Promptly after a petition is
5 filed with the Texas Commission on Environmental Quality or its
6 successor agency to create a district, the commission shall notify
7 the commissioners court of the county. The county shall review the
8 petition and application for creation and other evidence and
9 information relating to the proposed district. In the event the
10 commissioners court votes to submit information to the commission
11 or to make a recommendation regarding the creation of the proposed
12 district, the commissioners court, at least 10 days before the date
13 set for action on the petition, shall provide to the commission a
14 written recommendation and findings, conclusions, and other
15 information supporting the recommendation. The commission shall
16 consider the written opinion submitted by the county.

17 SECTION 2. This Act takes effect September 1, 2023.