

By: Springer

S.B. No. 259

A BILL TO BE ENTITLED

AN ACT

relating to procedures applicable to municipal consideration of building permits, plats, and certain land development plans.

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 submit or obtain approval of any document or fulfill any other prerequisites or conditions before the person files a copy of the plan or plat with the municipal planning commission or governing body; or

(2) refuse to accept a filed copy of the plan or plat.

SECTION 2. Section 214.904, Local Government Code, is amended by amending Subsections (b) and (d) and adding Subsection (e) to read as follows:

(b) Not later than the 45th day after the date an application for a permit is submitted, the municipality must:

(1) grant or deny the permit; or

(2) provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application in the time required by this subsection [~~or~~

~~(3) reach a written agreement with the applicant~~

1 ~~providing for a deadline for granting or denying the permit~~].

2 (d) If a municipality fails to comply with this section  
3 ~~[grant or deny a permit application in the time required by~~  
4 ~~Subsection (c) or by an agreement under Subsection (b)(3)]~~, the  
5 municipality:

6 (1) may not collect any permit fees associated with  
7 the application; and

8 (2) shall refund to the applicant any permit fees  
9 associated with the application that have been collected.

10 (e) A municipality may not:

11 (1) deny a permit solely because the municipality is  
12 unable to comply with this section; or

13 (2) require an applicant to waive the requirements of  
14 this section.

15 SECTION 3. Section [212.009](#)(a-1), Local Government Code, as  
16 added by this Act, applies only to a plan or plat application filed  
17 on or after the effective date of this Act.

18 SECTION 4. Section [214.904](#), Local Government Code, as  
19 amended by this Act, applies only to a municipal building permit  
20 application that is submitted on or after the effective date of this  
21 Act. An application submitted before the effective date of this Act  
22 is governed by the law in effect on the date the application was  
23 submitted, and the former law is continued in effect for that  
24 purpose.

25 SECTION 5. This Act takes effect September 1, 2023.