

Amend CSHB 1204 as follows:

(1) In the recital to SECTION 16 of the bill (Senate committee printing page 6, line 36), strike "Subchapter F" and substitute "Subchapters F and G".

(2) In SECTION 16 of the bill, after added Section 232.155, Local Government Code (Senate committee printing page 7, between lines 9 and 10), insert the following:

SUBCHAPTER G. DEVELOPMENT REGULATION IN COUNTY
NEAR INTERNATIONAL BORDER

Sec. 232.171. APPLICABILITY. This subchapter applies only to a county that includes territory located within 50 miles of an international border.

Sec. 232.172. REGULATORY AUTHORITY. (a) The commissioners court of the county by order may regulate residential land development in the unincorporated area of the county to prevent the proliferation of colonias by:

(1) adopting regulations relating to:

(A) maximum densities, including the size of lots;

(B) the height, number of stories, size, or number of buildings or other structures that may be located on a lot or tract; and

(C) the location of buildings and other structures on a lot or tract; and

(2) adopting building codes to promote safe and uniform building, plumbing, and electrical standards.

(b) If a tract of land is appraised as agricultural or open-space land by the appraisal district, the commissioners court may not regulate land development on that tract under the authority granted by Subsection (a)(1)(B), (a)(1)(C), or (a)(2).

(c) The authority granted under this section does not authorize the commissioners court to adopt an order regulating commercial property that is uninhabitable.

Sec. 232.173. BUILDING PERMITS. (a) The county shall issue a building permit if the person submitting the application for the permit:

(1) files information relating to the location of the

residence;

(2) files the building plans for the residence; and

(3) complies with the applicable regulations relating to the issuance of the permit.

(b) The county may charge a reasonable building permit fee.

(c) The county shall deposit a fee collected under this section in an account in the general fund of the county dedicated to the building permit program. The funds in the account may be used only for the purpose of administering the building permit program.

Sec. 232.174. MUNICIPAL ORDINANCE PREVAILS OVER COUNTY ORDER. If an order adopted under this subchapter conflicts with an ordinance of a municipality, the municipal ordinance prevails within the municipality's jurisdiction to the extent of the conflict.

Sec. 232.175. EXISTING COUNTY AUTHORITY UNAFFECTED. The authority granted by this subchapter does not affect the authority of the commissioners court to adopt an order or ordinance under other law.

Sec. 232.176. INJUNCTION. The county, in a suit brought by the county attorney or other prosecuting attorney representing the county in the district court, is entitled to appropriate injunctive relief to prevent the violation or threatened violation of an order adopted under this subchapter from continuing or occurring.

Sec. 232.177. PENALTY; EXCEPTION. (a) A person commits an offense if the person violates a restriction or prohibition imposed by an order adopted under this subchapter. An offense under this section is a Class C misdemeanor.

(b) If the Texas Department of Housing and Community Affairs classifies a household as a low-income household, a penalty may not be assessed under this section against the owner-occupant of the residential dwelling for a building standards or building code violation relating to the dwelling unless the county makes available to the owner-occupant housing rehabilitation assistance in an amount sufficient to cure the violation. The assistance provided must be a grant or loan and must be on payment terms that do not cause the housing expenses of the owner-occupant to exceed 30 percent of the owner-occupant's net income.