

BILL ANALYSIS

C.S.H.B. 2050
By: Smith, Wayne
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, there are no time limits placed on counties regarding their processing of permits. The time between applying for and the approval of a permit can range from six weeks to seven months.

C.S.H.B. 2050 requires counties to review a permit application within six weeks of its filing. If the permit is not approved, the county is required to send a letter to the applicant that discusses the problems with the application or to meet with the applicant. If the builder addresses the problems and resubmits the application, the county has one month to approve or reject the application or all permit fees are waived.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Chapter 233, Local Government Code, by adding Subchapter Z, as follows:

Requires a county to grant, deny, inform an applicant of problems with a permit application, or attempt to reach an agreement with the applicant within 45 days of the permit being filed.

Requires a county to grant or deny a permit within 30 days of notifying the applicant of problems with the application. Mandates that all county permit fees are waived if it fails to act on an application within the 30 day period.

SECTION 2. Effective date.

Act prospective.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. C.S.H.B. 2050 adds a new Subsection 233.901(b)(3), Local Government Code, to allow a third alternative available to a county.

C.S.H.B. 2050 makes conforming changes in Subsection 233.901(c), Local Government Code.

C.S.H.B. 2050 mandates that all permit fees are waived if a county fails to act

within the time limits established. H.B. 2050 required that the permit was granted if the county failed to act within the established time limits.