

## **BILL ANALYSIS**

Senate Research Center

H.B. 2212  
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Intergovernmental Relations  
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Engrossed

### **DIGEST AND PURPOSE**

Current law prohibits a municipality that annexes land from changing the land use of the area as it existed prior to annexation. No similar provision exists that applies to newly-incorporated areas. H.B. 2212 extends to newly-incorporated areas the same protections afforded to newly-annexed areas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 211, Local Government Code, by adding Section 211.016, as follows:

Sec. 211.016. CONTINUATION OF LAND USE IN NEWLY INCORPORATED AREAS. (a) Prohibits a municipality incorporated after January 1, 2003, from prohibiting a person from using land in certain ways.

(b) Provides that for purposes of this section, a completed application is filed if the application includes all documents and other information designated as required by the governmental entity in a written notice to the applicant.

(c) Provides that this section does not prohibit a municipality from imposing certain regulations or ordinances.

(d) Provides that a municipal ordinance or rule in conflict with this section is void.

(e) Provides that this section does not affect the application of a law prescribing a buffer zone.

SECTION 2. Effective date: upon passage or September 1, 2003.