

BILL ANALYSIS

S.B. 954
By: Madla
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law gives counties an implied authorization, whereby if the county fails to review and approve submitted plats within 60 days, the county reimburses half of the review fee charged to the developer. As proposed, S.B. 954 gives Texas counties explicit authority to charge a developer a fee for the purpose of reviewing and approving plats and construction plans associated with a new development.

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 232A, Local Government Code, by adding Section 232.0021, as follows:
Sec. 232.0021. PLAT APPLICATION FEE. (a) Authorizes the commissioners court to impose an application fee to cover the cost of the county’s review of a subdivision plat and inspection of street, road, and drainage improvements described by the plat.

(b) Authorizes the fee to vary based on the number of proposed lots in the subdivision, the acreage described by the plat, the type or extent of proposed street and drainage improvements, or any other reasonable criteria as determined by the commissioners court.

©) Requires the owner of the tract to be subdivided to pay the fee at the time directed by the county before the county conducts a review of the plat.

(d) Provides that the fee is subject to refund under Section 232.0025(I).

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

