

BILL ANALYSIS

Senate Research Center
78R5061 ATP-D

S.B. 954
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DIGEST 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

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

SECTION BY SECTION 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.

(c) 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.