

BILL ANALYSIS

C.S.S.B. 1631
By: Wentworth
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Texas counties are given little authority over development in their unincorporated areas. S.B. 1631 gives the commissioners court in each Texas county, after approval by the voters in the county, the authority to adopt court orders to regulate development in unincorporated areas of the county and impose impact fees.

C.S.S.B. 1631 authorizes the commissioners court in limited Texas counties, after approval by the voters in the county, the authority to adopt and enforce certain land use regulations.

RULEMAKING AUTHORITY

It is the opinion of the author bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Chapter 232, Local Government Code, by adding a new bracket of counties authorized to regulate the subdivision of land under this subchapter (counties adjacent to a county with a population of 700,000 or more that are not within the same metropolitan statistical area as the adjacent county and that when comparing any two consecutive decennial censuses occurring in or after 1990 has a population increase of more than 40 %).

Authorizes applicable counties to adopt rules under the relevant subchapter after an election granting such authority.

SECTION 2. Amends Subchapter E, Local Government Code, by adding a new Section, 232.1005, as follows:

Authorizes applicable commissioners courts to hold an election on the question of granting the county authority to adopt regulations. Provides for the election.

SECTION 3. Effective date.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B. 1631 limits the regulations that a county may adopt and enforce to those found in Subchapter E, Chapter 232, Local Government Code. S.B. 1631 authorized broader powers to commissioners courts.

C.S.S.B. 1631 limits the scope of the bill by bracketing those counties authorized to adopt and enforce regulations.

