

By: Grusendorf

H.B. No. 789

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of tax-exempt property of religious organizations from municipal platting requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0047 to read as follows:

Sec. 212.0047. EXCEPTION TO PLAT REQUIREMENT: TAX-EXEMPT RELIGIOUS ORGANIZATION PROPERTY. (a) An owner of an unplatted tract of land that is exempt from ad valorem taxation under Section 11.20, Tax Code, is not required to prepare a plat to obtain a building permit or any other permit for developing the tract.

(b) If the property loses its exemption from taxation under Section 11.20, Tax Code, the owner of the property must comply with all applicable platting requirements.

SECTION 2. Subchapter B, Chapter 212, Local Government Code, is amended by adding Section 212.0415 to read as follows:

Sec. 212.0415. APPLICATION OF SUBCHAPTER TO TAX-EXEMPT RELIGIOUS ORGANIZATION PROPERTY. This subchapter does not apply to an unplatted tract of land that is exempt from ad valorem taxation under Section 11.20, Tax Code. If the property loses its exemption from taxation under Section 11.20, Tax Code, this subchapter begins to apply to the property on the day after the date on which the exemption is lost.

SECTION 3. Section 12.002, Property Code, is amended by

1 adding Subsection (h) to read as follows:

2 (h) Notwithstanding this section, a person may file for
3 record or have recorded in the county clerk's office a plat if the
4 plat is exempted from approval under Section 212.0047, Local
5 Government Code. An unapproved plat must be stamped "unapproved
6 plat" by the county clerk or a deputy of the clerk before it may be
7 filed, and the clerk or deputy shall note on the plat that the
8 property was exempt under Section 212.0047, Local Government Code.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2003.