

By: Talton

H.B. No. 2732

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain municipal orders required to be filed with the
3 municipal secretary or clerk.

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

5 SECTION 1. Section 54.039(a), Local Government Code, is
6 amended to read as follows:

7 (a) Any owner, lienholder, or mortgagee of record jointly or
8 severally aggrieved by any decision of a commission panel may
9 present a petition to a district court, duly verified, setting
10 forth that the decision is illegal, in whole or in part, and
11 specifying the grounds of the illegality. The petition must be
12 presented to the court within 30 calendar days after the date a copy
13 of the final decision of the commission panel is personally
14 delivered or mailed by first class mail, certified return receipt
15 requested, to all persons to whom notice is required to be sent
16 under Section 54.035. The commission panel shall personally
17 deliver or mail that copy promptly after the decision becomes
18 final. In addition, an abbreviated copy of the order shall be
19 published one time in a newspaper of general circulation in the
20 municipality within 10 calendar days after the date of the delivery
21 or mailing of the copy as provided by this subsection, including the
22 street address or legal description of the property; the date of
23 the hearing, a brief statement indicating the results of the order,
24 and instructions stating where a complete copy of the order may be

1 obtained, and, except in a municipality with a population of 1.9
2 million or more, a copy shall be filed in the office of the
3 municipal secretary or clerk.

4 SECTION 2. Section 214.001(f), Local Government Code, is
5 amended to read as follows:

6 (f) Within 10 days after the date that the order is issued,
7 the municipality shall:

8 (1) file a copy of the order in the office of the
9 municipal secretary or clerk, if the municipality has a population
10 of 1.9 million or less; and

11 (2) publish in a newspaper of general circulation in
12 the municipality in which the building is located a notice
13 containing:

14 (A) the street address or legal description of
15 the property;

16 (B) the date of the hearing;

17 (C) a brief statement indicating the results of
18 the order; and

19 (D) instructions stating where a complete copy of
20 the order may be obtained.

21 SECTION 3. This Act takes effect September 1, 2003.