

1-1 By: Talton (Senate Sponsor - Lindsay) H.B. No. 2732  
1-2 (In the Senate - Received from the House May 1, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 22, 2003, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 22, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to certain municipal orders required to be filed with the  
1-9 municipal secretary or clerk.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 54.039(a), Local Government Code, is  
1-12 amended to read as follows:

1-13 (a) Any owner, lienholder, or mortgagee of record jointly or  
1-14 severally aggrieved by any decision of a commission panel may  
1-15 present a petition to a district court, duly verified, setting  
1-16 forth that the decision is illegal, in whole or in part, and  
1-17 specifying the grounds of the illegality. The petition must be  
1-18 presented to the court within 30 calendar days after the date a copy  
1-19 of the final decision of the commission panel is personally  
1-20 delivered or mailed by first class mail, certified return receipt  
1-21 requested, to all persons to whom notice is required to be sent  
1-22 under Section 54.035. The commission panel shall personally  
1-23 deliver or mail that copy promptly after the decision becomes  
1-24 final. In addition, an abbreviated copy of the order shall be  
1-25 published one time in a newspaper of general circulation in the  
1-26 municipality within 10 calendar days after the date of the delivery  
1-27 or mailing of the copy as provided by this subsection, including the  
1-28 street address or legal description of the property; the date of  
1-29 the hearing, a brief statement indicating the results of the order,  
1-30 and instructions stating where a complete copy of the order may be  
1-31 obtained, and, except in a municipality with a population of 1.9  
1-32 million or more, a copy shall be filed in the office of the  
1-33 municipal secretary or clerk.

1-34 SECTION 2. Section 214.001(f), Local Government Code, is  
1-35 amended to read as follows:

1-36 (f) Within 10 days after the date that the order is issued,  
1-37 the municipality shall:

1-38 (1) file a copy of the order in the office of the  
1-39 municipal secretary or clerk, if the municipality has a population  
1-40 of 1.9 million or less; and

1-41 (2) publish in a newspaper of general circulation in  
1-42 the municipality in which the building is located a notice  
1-43 containing:

1-44 (A) the street address or legal description of  
1-45 the property;

1-46 (B) the date of the hearing;

1-47 (C) a brief statement indicating the results of  
1-48 the order; and

1-49 (D) instructions stating where a complete copy of  
1-50 the order may be obtained.

1-51 SECTION 3. This Act takes effect September 1, 2003.

1-52 \* \* \* \* \*