

By: Kolkhorst

H.B. No. 3198

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the adoption of rules by a county relating to the
3 connection of utilities in subdivisions and certain other land use
4 controls.

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

6 SECTION 1. Subchapter A, Chapter 232, Local Government
7 Code, is amended by adding Section 232.0033 to read as follows:

8 Sec. 232.0033. CONNECTION OF UTILITIES. (a) By an order
9 adopted and entered in the minutes of the commissioners court and
10 after a notice is published in a newspaper of general circulation in
11 the county, the commissioners court may adopt rules governing the
12 connection of utilities to subdivided land as described under this
13 section. This section does not apply to utility connection made
14 before September 1, 2003.

15 (b) The county by rule may provide that an electric, gas,
16 water, or sewer service utility or other utility service may not
17 serve or connect to subdivided land unless the utility receives a
18 certificate issued by the commissioners court or a person
19 designated by the commissioners court under this section.

20 (c) A certificate issued under Subsection (b) may be based
21 on:

22 (1) whether the land has been subdivided in compliance
23 with this chapter and the county's subdivision regulations and
24 policies adopted under this chapter;

1 (2) whether a development permit for a floodplain, as
2 defined by Section 232.021, has been issued by the county, if the
3 county requires a permit; and

4 (3) whether a permit for a sewage facility located on
5 the subdivided land has been issued by the county or a person
6 designated by the county, if the county requires a permit.

7 SECTION 2. Chapter 232, Local Government Code, is amended
8 by adding Subchapter F to read as follows:

9 SUBCHAPTER F. INFRASTRUCTURE PLANNING

10 PROVISIONS IN COUNTIES GENERALLY

11 Sec. 232.121. LOT FRONTAGES. The commissioners court may
12 adopt or establish reasonable standards relating to lot frontages
13 as provided by Section 232.103.

14 Sec. 232.122. SET-BACKS. The commissioners court may
15 establish reasonable building and set-back lines as provided by
16 Section 232.104.

17 SECTION 3. The changes in law made by this Act to Chapter
18 232, Local Government Code, apply only to a subdivision plat that is
19 filed on or after September 1, 2003, and to the subdivision covered
20 by that plat. A subdivision plat that is filed before September 1,
21 2003, and the subdivision covered by that plat, is governed by the
22 law in effect immediately preceding that date, and the former law is
23 continued in effect for that purpose.

24 SECTION 4. This Act takes effect September 1, 2003.